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THE BENARES DIARY OF WARREN HASTINGS

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INTRODUCTION

One of the most important documents in the private papers of Warren Hastings deposited in the British Museum is the diary in which he recorded his visit to Shuja-ud-daulah at Benares in 1773. The greater part of the diary is in Add. MSS 29,212, fos. 1-83, and is in Hastings' handwriting, but a small portion relating to the interview with Raja Chart Singh, the *zamindar* of Benares, is in the handwriting of George Vansittart, who was present on that day. Part of this manuscript has been misplaced and is in Add. MSS 29,233, fos. 23 sqq. A defective copy by a careless scribe is in Add. MSS. 29,234, fos. 153-93, it is of use only for establishing the position of the displaced passages in the original diary. With the exception of a few small excerpts relating to the Rohillas in Sir John Strachey's *Hastings and the Rohilla War* (1892),¹ and the passages quoted in my *Warren Hastings and Oudh* (1939),² the diary has hitherto remained unpublished.

It will be remembered that when Hastings became Governor of Bengal in 1772, the Mughal empire had resolved itself into conflicting factions. During this turmoil able adventurers and provincial governors had carved out kingdoms for themselves. In the struggles of the 'country powers', the Nizam of Hyderabad, Haider Ali of Mysore, and the Maratha confederacy, there was no idea of a balance of power in the European sense. Of one thing we can be certain. Territorial aggrandisement and paramountcy in the Indian peninsula were the declared aims of the Marathas. The struggle of the French and English for commercial and territorial supremacy had ended in the victories of Clive. The French had been ousted from the Carnatic, and Plassey (1757) had left the English Company the *de facto* rulers of Bengal. Munro's victory at Buxar, in 1764, had placed Shah Alam, the Mughal emperor, and Shuja-ud-daulah, the ruler of Oudh and titular nawab-wazir of the Empire, at the Company's disposal. By the Treaty of Allahabad³ and other engagements with the emperor, in 1765, Clive restored Oudh to Shuja-ud-daulah, with the exception of Kora and Allahabad which were handed over to the emperor for the upkeep of his dignity and expenses. In return for the grant of the *diwani*, the right to collect and administer the revenues of Bengal, Bihar, and Orissa, the Company agreed to pay the emperor an annual tribute of twenty-six lakhs of rupees.

The Treaty of Allahabad was a defensive alliance with Oudh which was converted into a buffer state against Maratha encroachments. In the main this was a sound policy. Its chief weakness from a strategical point of view was the handing over of Kora and Allahabad to the emperor. Since the defence of Oudh necessitated the defence of these districts, it would have been better if Shuja-ud-daulah had been allowed to retain them. The reinstatement of Shuja-ud-daulah was a wise move as the Company at that time were in no position to annex and administer Oudh.

¹ Pp. 109-11

² Ch. I

³ The text of the treaty, together with that of the subsequent agreements, will be found in *A Collection of Treaties, Engagements and Sanads relating to India and neighbouring countries* (compiled by C. U. Aitchison, Calcutta, 1930), II 98 sqq.

Clive's recognition of Shah Alam has come in for much adverse criticism. For years the Emperor had been a puppet in the hands of one or other of the 'country powers' and had served as a useful cloak of legitimacy to cover their aggressive schemes. Internationally, however, this recognition served its purpose, for it probably carried more weight at Paris than at Poona, the headquarters of the Maratha confederacy. There was another reason for this recognition of a puppet emperor. Although, after Plassey, Clive, in a letter to Chatham, had advocated that the Crown should take over the Company's possessions in India, he later changed his mind when he saw that such an arrangement would lead to interference by the ministry at home in the Company's affairs. This was also probably the reason why he accepted the *diwani* instead of a territorial cession.

There were therefore many reasons prompting Hastings to reverse Clive's political settlement. It is true that the Treaty of Allahabad was the germ of all subsequent subsidiary alliance with Oudh, for the extraordinary expenses of all troops supplied by the Company were to be defrayed by Shuja-ud-daulah. Two years before the Benares Conference of 1773 Shuja-ud-daulah had agreed to a monthly payment of 115,000 rupees for these troops. Hastings did not consider this sufficient, and in March, 1772, we find him protesting against its inadequacy.

It is indeed stipulated by treaty that all extra charges are to be borne by the wazir, but this is very insufficient. The pay and common *batia* of such a force are enormous. These charges are the Company's, and their provinces are drained to defray them, while the country which we protect is enriched with so much additional circulation. The whole expense ought to be borne by the wazir.¹

Hastings' policy was more advantageous to the Company. By the Treaty of Benares (1773) the ruler of Oudh was to pay all the expenses of the Company's troops required for the defence of his country, namely, two lakhs ten thousand (2,10,000) rupees per mensem for a brigade. This treaty also provided for the sale of Kora and Allahabad to Shuja-ud-daulah for fifty lakhs of rupees. The emperor was informed that the Company were no longer prepared to continue the payment of the tribute from the revenues of Bengal. Hastings' reasons for this change of policy are clearly laid down in the diary, and are reinforced by the later letters and minutes composed when he was called upon to defend himself against the attacks of the hostile majority on his council.

In the interval between the departure of Clive and Hastings' assumption of office, the emperor had not only left the protection of the Company but had bestowed Kora and Allahabad on their declared enemies, the Marathas. Hastings, therefore, contended that the emperor by his action had annulled his rights to these districts, as it had never been Clive's intention to allow him to surrender them to the Marathas, to swell their revenues and to facilitate their attack on the Company's possessions in Bengal. This desertion of the Company also justified his refusal to continue the payment of the tribute. He also contended that at this time the revenues of Bengal were insufficient to admit of its payment. That Hastings had made up his mind as early as March, 1772, to reverse Clive's system is apparent from the following expression of his views in a letter to Sir George Colebrooke.

¹ British Museum, Add MSS 29,127: Hastings to Sir George Colebrooke, 26 March 1772.

In the King we have another idol of our own creation to whom we have bound ourselves to pay an annual tribute, and most punctually have we paid it, even when he was in arms against us, for such I consider the cause he is now engaged in. His title, dignity, state, and the territory which he possesses, he holds by our bounty, and what has he given us in exchange? A piece of paper which acknowledges our right to the *diwan* of Bengal, a right which we can have no pretence to hold from him, because we denied his right to possess a single acre in either of the provinces. We hold the sovereignty of them by the best of all titles, power. He could not transfer what he never had to give¹, and twenty-six lakhs of rupees, £325,000 sterling, are rather too much to give away annually for the purchase of a very flimsy argument, not intrinsically worth three halfpence. You have been deceived, if you were told that the powers of India set any value on the King's grants. They laugh at them. Not a state of India ever paid him a rupee, not one of his natural subjects offered any kind of submission to his authority, when we first fell down and worshipped it. Yet for this idle pageant we have drained the country, which has a right to our protection, of its current specie, which is its blood, for him we continued to exhaust it of its wealth, while we wanted means to furnish the necessary expenses of the Company, while we draw on them for crores and run them crores in debt; and to this wretched King of shreds and patches are we almost to this day sending supplies of treasure to enable the only enemies we have in India to prosecute their designs of universal conquest².

The sale of Kora and Allahabad formed the subject of the second of the charges brought against Hastings in the House of Commons on the 4 April 1786. Hastings denied that he had violated the Treaty of Allahabad, and used the arguments already given. He was also able to shelter behind the orders of the Court of Directors, for they had confirmed the Treaty of Benares.

The diary also records the conversations leading up to the agreement whereby Hastings promised to assist Shuja-ud-daulah against the Rohillas. There is no reference to extermination in these discussions. It is solely proposed to expel them from their possessions in Rohilkhand.³

The agreement which confirmed Raja Chait Singh of Benares in his father's *zamindari* is of great importance, for, had it not been for Hastings' intervention on his behalf, Shuja-ud-daulah would have ousted Chait Singh from his *zamindari*. For this reason his later recalcitrancy during the war with the French was naturally regarded by Hastings as evidence of the basest ingratitude. This agreement affords proof, if proof were needed, of the fact that by no stretch of imagination can Chait Singh be regarded as an independent prince.⁴

Historians, in their account of the steps leading up to the Treaty of Benares (1773), have relied on the debates in the Bengal Secret Consultations and on Hastings' official report to the Board on his return to Calcutta. Apart from the fact that official reports have their obvious limitations, it should be remembered that in the later discussions at Calcutta Hastings was defending his policy against the attacks of Francis, Monson, and Clavering, who formed the hostile majority on his council. In the diary we have the real reasons which prompted Hastings to reverse Clive's policy as laid down in the Treaty of Allahabad (1765). The conversations recorded were a frank discussion between Hastings as Governor of Bengal and Shuja-ud-

¹ Bengal had been virtually independent of Delhi from about 1740, see the *Cambridge History of India*, iv 364.

² British Museum, Add MSS 29,127 Hastings to Colebrooke, 26 March 1772.

³ For a fuller discussion of this thorny problem see my article, 'Warren Hastings and the Rohilla War', *Army Quarterly Review*, July 1938.

⁴ For the status of Chait Singh see my *Warren Hastings and Oudh*, ch v.

daulah of Oudh, who was assisted by his chief minister, Muhammad Elich Khan. The fact that these discussions were carried on in Hindustani was one reason for the exclusion from the conference of the general, Sir Robert Barker. Had Barker been present interpreters would have been necessary and the conference would have been unduly prolonged. There was another weighty argument in favour of the general's exclusion. Hitherto the management of the Company's affairs with Oudh had been entrusted to the military commander. This meant that 'on every alarm, whether arising from real danger, or raised without foundation as a pretext for the ambitions of our ally, the army was hastily summoned to his assistance'. An unfortunate result of this was that all problems were approached from the military point of view. Hastings hoped by means of a personal interview 'to abolish this partial influence' and 'to renew the connexion on principles more comprehensive of the general system'. An important fact which comes to light for the first time in this diary is that Clive was ignorant of Hindustani, for interpreters had to be employed in his conferences with the ruler of Oudh.

Concerning the value of this diary Hastings wrote

The conferences held with the wazir are faithfully and exactly related, for it was a part of my daily occupation to write down, the instant we parted, everything that had passed between us, and as my whole attention, I may say, my whole heart, was fixed on the success of my commission, I scarce could have forgot a word of business that occurred on these occasions. I have left the whole uncorrected in its original dress with all my own defects, as well as His Excellency's, undisguised in it.

In the edition that follows, the punctuation and use of capitals are as in the original manuscript. I have supplied in a few cases words inadvertently omitted in the original but required by the sense of the passage, these have been printed in square brackets. I have also included, for convenience of reference, the text of the treaty concluded by Hastings with Shuja-ud-daulah on 7 September 1773, though it is also given by C. U. Aitchison in his *Collection of Treaties, Engagements and Sanads relating to India and neighbouring countries*, ii. 104-5.

DIARY OF TRANSACTIONS AND OCCURRENCES IN A VOYAGE TO BENARIS IN 1773

The Inequality of the Alliance which had subsisted between the Company and the Vizier ¹ since the Treaty of Aug^t 1765 ; the little Utility which it had afforded, or was likely on its present footing to afford, to the Company , the vast expence with which every march of our Forces at his Requisition had been attended ; the Disproportion of the Sums stipulated for the Reimbursement of it , the Irregularity with which they were paid ; the frequent subject of mutual Discontent which had arisen from the foregoing Causes , and the hope of deriving an Advantage to the Company from the Change occasioned in the King's ² affairs by his Separation from us, and his late Engagements with the Marattas, were the motives which induced me to wish for a personal Interview with the Vizier . It was first proposed in the Select Committee ³ and afterwards unanimously assented to by the Board, as the most probable means of renewing the Alliance on terms which might promise an equal Advantage to both Parties, and, by its Influence on their common Interests, cement the union between them.

With these other Arguments of a secondary Consideration concurred. The Management of our Connections with the Vizier had hitherto been left to the military Commander. The Effects were such as might naturally be expected to flow from such a Source. On every Alarm, whether arising from real danger or raised without Foundation as a Pretext for the ambitious projects of our Ally, the Army was hastily summoned to his Assistance. His own [army], from an infatuated partiality for an Establishment of Infantry, which in all Probability he never could succeed in bringing to that Degree of Discipline and Strength as to be of real Utility to himself, and, if he did, it could only render ours of less Service to him in proportion as he succeeded in the Imitation of it , and from an impolitic neglect of his Cavalry, by which alone he could hope to afford an effectual Addition to our Strength, was unfit either for our Service or his Defence, and threw him into a State of absolute, but useless, Dependence on the military Commander. It is no Reflexion on those by whom this Influence was held to say that the Use, to which they were obviously led to apply it, was that which was most consonant to the Ideas and Principles of their Profession and the Advancement of their military Reputation. It may be safely asserted that not one Undertaking in which this Gov^t has been concerned with the Vizier from the beginning of their alliance has either promoted the real Interests of the Company or had the least tendency to promote them.

To abolish this partial Influence, to renew the Connection on principles more comprehensive of the general System, and to establish immediate Communication between the Administration and the Vizier, were Points which the Board hoped to obtain from the proposed Interview. Many Circumstances conspired to promise

¹ Shuja-ud-daulah, nawab-wazir of Oudh ² Shah Alam the Mughal emperor.

³ At Calcutta

an happy Issue from it. The yearly Apprehensions which the Vizier had expressed of the Marattas, His Designs towards Dehly and his Neighbors the Rohellas, The Hopes he might entertain of repossessing through our Means the Province of Cora,¹ either directly from us, or virtually, by being placed in the Management of the King's Affairs, and, what was yet more than all, his absolute Dependance on the Company, who stand in need of nothing from him but an Equivalent for the Succor which they afford him, and can safely cancel every Article of the Treaties between them without either present Loss or other future Hazard than of the Consequences of his Ruin, which is with them a remote, with him an instant Consideration. Indeed, since the Date of the Resolution for this visit to the Vizier, the Dread of the Marattas seems to be removed by the Combination which we learn has been formed against them in Deccan, and the reported Revolt of Rogonaut Row,² the Uncle of Narain Row their Chief. But this Event is not less likely to excite his Ambition and to prompt him to form Designs against them in the Absence of their Forces than their Presence was to keep up his Fears. Either may operate alike to make him assent to our Measures. The Vizier himself in the course of his Correspondence had repeatedly expressed in earnest Terms his wish to obtain a personal Conference with me. Accordingly, with the Consent of the Board, I proposed it to him in Form in a Letter dated the 21st April, 1773

As a preparatory Measure and as a Security for the intended Negotiation, it was resolved to depute a Member of the Board to take possession of Cora and Illahabad on the Part of the Company as Guarantees for the King and as the original Proprietors, to whom the Right to those Districts of Course reverted, if he should abandon them, as in Effect he had already done in the Cession made of them to the Marattas. Mr Lawrell was appointed on this Service in the month of May last.

I received an Answer from the Vizier expressing his chearful assent to my proposed visit.

It being now finally determined that I should meet the Vizier at Benaris, I made immediate preparations for the Journey. I requested and obtained the permission of the Board that Mr Vansittart might accompany me, as I hoped to derive considerable Assistance from his Abilities and Knowledge of the political Interests of the Company in which he had been long conversant. Mr Lambert, another Member of the Board, whose Health required a Change of Air, took the same Occasion, with the approbation of the Council, to give me his Company; and I was happy in acquiring so agreeable an Associate.

The following Instructions³ were carefully drawn up and delivered into my Hands, the original Draft being at the same Time sealed and given in Charge to Mr Aldersey, the acting President, that the Contents might not transpire and effect the Negotiations.

On the 24th June I left Calcutta. I quitted my Boats at Augerdeep and pro-

¹ Kora and Allahabad had been handed over by Clive to the Mughal emperor for the upkeep of his dignity and expenses

² Raghunath Rao, alias Raghoba, later implicated in the murder of Narayan Rao, the Maratha Peshwa. See my article on 'Pishwa' in the *Encyclopaedia of Islam*

³ Not included. They will be found in Bengal Secret Consultations (India Office), Range A, vol 25, 4 October 1773

ceeded by land to Plassey, where I was met by the Nabob¹ and Mr Middleton.² I had a sensible satisfaction in observing the great Improvement which the young Nabob had received in his Person, Behavior, Conversation and State, since the last Time that I met him at this place, which was nearly about the same period the last year. He was then of a sickly Habit and Complexion, the Effects of an irregular life, his Manners were awkward and unpolished, his language coarse, and his Equipage and Retinue mean to the last Degree. His present Appearance was a Contrast of the former and afforded the most convincing Proof that the Begum³ had faithfully discharged the Trust reposed in her, both in the Care of his Education and in the just Application of his Finances

I proceeded the next Morning with Mr Middleton to Moidapoor, where I arrived the 4th July, and remained there till my Boats came up, which were ordered to wait for me at Saddoc Baug

I was concerned to find that the Differences, which had for some Time prevailed between the Begum and her Dewan, had grown to such a Height that the latter was almost deprived of his Authority, the Begum reposing her sole Confidence in Etwar Ally Cawn, her Chief Eunuch. My short stay would not permit me to apply the effectual Remedies to these Disorders. I endeavoured to palliate them by intimidating and placing proper Checks on those whom I knew to be the chief Authors of them; and, on taking Leave of the Begum, I slightly intimated to her my sentiments of the Part which she had borne in them, not chusing at that Time and before many Witnesses to enter on a particular explanation upon so delicate a Subject, which could not fail to be received as a Reproof of her Conduct. By the Impatience with which she heard me and the Petulancy of her Reply, she shewed that she understood it as such. I added little and referred her for a fuller Discussion to Mr Middleton.

On the 9th of July I proceeded on my Journey from Saddoc Baug

On the 24th I crossed over to Mungeer where I arrived in the evening and viewed the Ramparts and Buildings of the Fort. The former are in much the same state as they were in before the Company had possession of it. The Walls, which were originally perpendicular and very lofty, have in some parts given way, in others overhang the Foundations, and are in every respect unfit for the purpose of a Fortification, although it will always serve as a sufficient Defence against any enemy which we may expect at that distance from the Sea, and with due Encouragement might draw numbers of people to inhabit it from the Security which it would afford them and the Dangers to which they are liable in the open Country by the Neighbourhood of the Chowars inhabiting the Hills. At present it is occupied only by a Garrison consisting of a Battalion of Seapoys, the Collector living about a Mile from the Fort and having no Connection with it. The Buildings in the Fort are pretty numerous and most of them in good Condition, but the Barracks totally useless. The Hill House, so called from its Situation, is a new Building very large and convenient.

¹ Mubarak-ud-daulah, the puppet nawab of Bengal. See *Treaties, Engagements, and Sanads* (ed C U Aitchison, 1909), 1, no lxxii

² Nathaniel Middleton, the first English Resident in Oudh

³ Munni Begum, widow of Mir Jafar, who had been appointed guardian during the nawab's minority

I left Dinapoor late at night and went by land to Moneea where my Boats were waiting for me. The next morning I continued my Voyage and arrived early at Chuppra. There I was met by Mr^r Golding, the Collector of Sircar¹ Sarung, and, having informed myself of the State of his Collections and of his Reasons for a Plan which he had some time before submitted to the Council at Patna for farming the District for the amount of the two last years' collections on Mokurreree² Leases, or Leases for Life, I directed him to complete it, and wrote the following Letters³ to him and to the Council of Patna upon the Subject. Here I received a [Letter] from the Council in their Secret Department, date the — of August, which is of no further consequence in this place than as it gave occasion to the following reflexions.

By private Advices received by the Northington's Packet it appears to be now beyond a doubt that we are on the Eve of some great Change in the Constitution of the British Establishments in India, especially in Bengal. The first dispatches of this Season brought us the News of the distresses which had fallen on the Company, their Inability to make good their annual Engagements with Gov^t, the Reduction of their dividends, the violent national Clamors which had been raised against the Company's Servants in Bengal, and the Enquiry which the Parliament had begun upon their affairs. These Informations, although of the most alarming Nature, yet produced no other Effect on the Conduct of this Administration than in animating it to a more vigorous Exertion of the Powers with which it was invested for the Retrieval of the Affairs of these Provinces. This was indeed a principal Motive in determining my present Journey, and I undertook it with the most assured Hopes of Success founded on the confidence which I placed in the cordial and steady Support of the Board and the Zeal with which I left them impressed for the Interests of their Employers and their own Reputation, which had united, as in a common Cause, every Member of the Administration. These flattering Expectations were greatly allayed by the Reports last received of Commissioners which, it is said, were speedily to follow, appointed by Parliament for the purpose of forming new Arrangements for the Gov^t of Bengal, with Powers to control or supersede those of the regular Administration. Whatever foundation in Truth or Probability these Rumors may have, they come too strongly vouched for confutation, and, if they should unhappily reach the Vizier, may render abortive all my Endeavors, by dictating to him the too obvious policy of procrastinating, while he suspects that the Engagements which I may enter into with him may be soon cancell'd by a superior Power, or of exacting unreasonable Terms in the hopes of obtaining them from the succeeding Gov^t, if they should be rejected by the present.

These Considerations would certainly have prevented my embarking on this Undertaking had the same cause occurred for them before it was resolved on, or even before my Departure. It is now too late to retract. I have no Alternative and shall therefore steadily prosecute my original plan adhering rigidly to the legal orders of my employers and the Line which their Interests shall point out to me.

¹ In the Mughal Empire the *subas* (provinces) were divided into *sarkars* (districts). Thus, for example, the *suba* of Oudh was divided into five *sarkars* (*A'in-i-Akbari* (tr Jarrett) in *Bibliotheca Indica*, II (1891), pp 170-7)

² *Muqarrari* or fixed.

³ Not included in diary.

where those are defective, and relying on the Faith of Government which I am confident no Act of the Legislature will ever suffer to be violated In this Resolution I am confirmed by the entire Silence of the Court of Directors upon the Changes which are impending at home, which implies beyond a possibility of doubt that they expect us to follow the Rules already prescribed us and act as if no alterations were intended Such indeed has been the conduct of this Gov^t notwithstanding the various Informations which it has received, a Conduct however necessary to the Existence of the National Interests in this Country, not perhaps the most favorable to the Characters of its Members at a Time when the Virulence of popular Odium prevails to such a degree as to assimilate everything to its own temper and to convert, not only their most innocent but even their most virtuous actions, into Matter of Reproach against them

On Thursday, the 19th of August, I left my Boats at Seewa, about five Miles from Benaris, and went by land to Rungeeldass's Tank where the General ¹ had a large Tent pitched. In the way I was met by the Vizier, accompanied by the General and Moneer o' Dowla ² He had arrived the day before at Benaris Having made a short stay to breakfast at the Tent, I accompanied the Vizier in a Chariot to Maudewdass's Gardens,³ a place appointed for my Quarters during my stay at Benaris The reception which I met from the Vizier was reserved and distant which I understood is not usual with him. He remained about an hour at Maudewdass's Garden and then departed

20th visited the Nabob in Form with Mess Lambert and Vansittart and the other Gentlemen of my Company In the course of Conversation the Vizier informed me that he had certain Intelligence that the Abdallee ⁴ (Timoor Shah, the Son of the Man who last invaded Indostan) was preparing to march to Delhy. To this effect he gave me a paper of News which I think deserving a place in this Narrative as a singular Curiosity.⁵ The Vizier's Behavior in this Visit was not much freer than it was Yesterday. He made a present of Cloths to myself and each of the Gentlemen of the Council who were with me, excusing himself for delaying those which he intended for the rest of the Company as he had outmarched his Baggage and had not had time to prepare them.

21st Aug^t This Morning the Vizier came to Maudewdass's Garden where he was received in Form and with the usual Honors. He informed me that the News of the Abdallee's Design of marching this way was confirmed by fresh Advices from his Camp, that he had been invited into Indostan by the King Shah Aalum. He put into my Hands a paper of News dated the 12 of Rebbec o' Sânee ⁶ or 2nd July from Candahar, purporting that Timoor Shah had pitched his Tents on that day and had fixed on the 14th for his March to Peshawer and Caubul with an army of 25,000 Horse, and that a letter had been received by him from the King Shah Aalum

¹ Sir Robert Barker

² Munir-ud-daulah, who had been placed in charge of Kora and Allahabad on behalf of the Mughal emperor

³ An estate situated in the suburbs belonging to one Mahadeo Das

⁴ Timur Shah Abdali, ruler of the Afghans and son of Ahmad Shah Durrani, who had defeated the Maratha Confederacy at Panipat in 1761

⁵ Not included in diary

⁶ Rabia-us-sani, the fourth month of the Muhammadan year

to which he had not yet replied. The Vizier added that the Abdallee maintained a Correspondence with the Rohellas, and that a Treaty of Alliance was on Foot and likely to take place between him and the Marattas. I record these Circumstances, to which I give doubtful Credit, because I regard them as Indications of the Vizier's Designs with respect to the King and his Apprehensions on the part of the Marattas, or, at least, the Opinion which he would wish to inculcate of the necessity of guarding against. I took Occasion to mention to him the Cause of Dissatisfaction which Mr Lawrell had received from the Contents and Address of a Letter which he had written to him, for which he made a becoming Apology, and I promised to introduce Mr Lawrell at my next visit. The rest of our Conversation was on different Subjects. I made him such presents as were customary and he departed.

22nd This Morning I visited the Vizier in Company with Mr Lawrell whom he received with much politeness and presented with a Kellaat ¹ and Cloths

It was not my Intention to have entered at this Time upon any Subject of Business, but having intimated to him my wish that it might not be longer delayed, he replied that he had been long indebted to the English for the steady Friendship and Support, which he said had commenced with Major Carnac,² was afterwards improved by Lord Clive, and had obtained further Confirmation in the succeeding Governments of Mr Verelst ³ and Mr Cartier ⁴ that he should ever adhere most faithfully to the Treaty which he had executed with the Company; and that he was now ready with his life and fortune to make any return which we should require from him, and to comply with any thing which we might propose for our Advantage. I told him I came to make no claim upon him, but to perfect the Alliance between him and the Company and to make it lasting. Finding him attentive and judging this a proper occasion to proceed to a fuller Explanation, I added that, if he pleased, I would then inform him on what Motives and for what purposes I was come. He expressed his desire to hear me and I went on. I said that it was my firm intention also to maintain inviolably the Treaty between him and the Company, regarding it as the Foundation ⁵ of their Friendship, but that, as it was originally defective in its essential principles by not providing equally for the Interests of both parties, a liberal Adherence to it was not Sufficient to answer the purposes for which it was intended; that no Friendship between Individuals or States could subsist but on Grounds of Interest, that the Treaty yielded little Benefit to the Company, but had proved a heavy Burthen upon them; and, although it had been usefully applied to his Service, yet it had not yielded to him those Advantages which might have been expected from it, as he must have perceived that the Aid which was occasionally lent him was sometimes reluctantly spared, and always to our Loss, that, indeed, there were other Causes which contributed to this. Though he had been long connected with the Company, he had hitherto had little Intercourse with the Chiefs of their Administration, whom by Reason of their remote Residence he scarcely

¹ *Khilat* or dress of honour presented as a mark of distinction

² John Carnac (1716-1800). See Buckland's *Dictionary of Indian Biography*

³ Henry Verelst who succeeded Clive as governor of Bengal in 1767 and died 1785. He was author of *A View of the Rise, Progress and Present State of the English Government in Bengal* (1772), a reply to Bolt's *Considerations on Indian Affairs*.

⁴ John Cartier (1733-1802), who succeeded Verelst as governor of Bengal in 1769.

⁵ *Root* is written above *Foundation*.

knew, that almost all his Transactions with the English had passed only with the Commanders of the Army, who were unacquainted or little interested in the general Concerns of the Company, and whose views were only to Conquest and the Extension of military Reputation, without much considering¹ the Price for which it was purchased, that the Army, which originally consisted but of one third of its present Strength and was sufficient for the Defence of our own Possessions, had been gradually augmented to three Brigades² for the support of our Connection with him, that the Expences, of which a very small part only was defrayed by him, had swelled to so enormous an Amount that We were at this Time loaded with a heavy Debt, which we had no hopes of discharging but by reducing our Expences or acquiring new Funds to supply them, that the Distresses of the Company had been so great at home as to have drawn on them the Displeasure of the King, who had caused a rigid Enquiry to be made into their Affairs, which had continued for a great Length of Time and was on the Point of being terminated by the King's taking them under his immediate Controul, an Event of which I every Day hoped to receive the Confirmation, that the Expectations both of the Government and of the Company were fixed on Bengal for the Relief of these Distresses, and that it was become my indispensable Duty to use such Means as were in my power to answer their Expectations, that this would be no difficult Point were the Care of our own Possessions our only Concern; but that I wished also to provide for the Interests of my Employers in such a manner as might not leave his unprovided for, nor injure their Alliance with him, that this was my sole inducement for desiring an Interview with him, which might afford me an Opportunity of knowing his wishes, of advising with him and receiving his Assistance in the Measures which might be adopted. He asked me what I had proposed. I replied that I would acquaint him plainly and ingenuously in a few Words. It was my Intention to withdraw the Brigade from his Dominions which now no longer required their presence, as the Marattas were gone and not likely for some time to return, and he was well able to support himself by his own Strength without our Interposition, to leave a small Force in Cora and Illahabad for the Security of those Districts, the Revenue of which might with Improvement be made capable of defraying a Part of our military Expences, while the Remainder of the Brigade would be maintained at a much less Cost and their pay be consumed in our own Country, which would prevent its being totally lost to it; that Cora and Illahabad having been given to the King for the Maintenance of his State and Dignity, when he could no longer keep possession of them or abandoned it to others, as he had to the Marattas, the Right of them reverted to the Company, the original proprietors, that nevertheless, I should have been better pleased if the King had sent some person, as he had intimated to me he should, to treat for his Concerns, but that, as this precaution had not been taken, I was without Remedy and was under the necessity of taking such measures as I could for the present without him and wait for another Opportunity to settle his Affairs, unless the Vizier thought himself sufficiently empowered to treat in his Name, or could procure from him an Authority to ratify such an Accommodation as should be agreed upon between him and myself for his Benefits,

¹ *attending to* is written above *considering* in Hastings' hand

² For Clive's military reorganisation, see G. Forrest, *Life of Lord Clive*, ii 290.

that, having thus exposed to him all that had occurred to my Mind on this Occasion, I waited for his Sentiments or for any Alternative which he might offer and which might better put his Interests without prejudice to those of the Company my Masters

The Vizier listened to me with great Attention and without other Interruption than such as was occasioned by brief Questions and Explanations. He asked me if I had related the whole of my Intention. I said, 'No' I had more to propose which would depend upon what he might say to me. He then replied that Cora and Illahabad were once his property, how they fell out of his Hands I well knew, that the Possession of this Country was still an Object with him, that he feared many bad Consequences from our taking possession of it. It was at a Distance from our Borders and, though of no Breadth, extended in a long Line to the Extremity of his Frontier. Many *perganahs*¹ and Villages belonging to Illahabad, as *Secundera* etc, lay on the other side of the River intermixed with the District of *Owd*², that these Circumstances, which to a common Observer would appear of no Consequence, were with him powerful Objections to the Design which I had mentioned, as they would inevitably produce continual Disputes between his Officers and ours in every part of our Dominions which lay in Contact with each other; that it was true the King had given up his right to the Marattas, but does any Man voluntarily part with his property for nothing?³ In Effect, It was not given but taken by Violence. I observed that it did not much alter the Argument with respect to the point of Right, which was the same, whether he gave or could not keep possession, to which the Vizier agreed, and added that I ought also to recollect that this district was the sole object of the late War, and which both drew the Maratta Arms towards his Frontier and put him to the heavy Expence of the last Campaign. If we wanted Money there was . . . Here one sheet of the original draft is missing³. . . large He did not know from what Quarter they could be gratified. He entered into a long Historical Account of the State of his Finances from the Death of his Father⁴ to the present Time, which concluded with a declaration that he was now in debt to his Army and others beyond his ability to pay them, and that his resources from his revenue were weakened by the many assignments which he had given to his Officers upon it. He again urged the subject of the Rohella expedition, complained of their perfidy in their double dealings with him and the Marattas, and the total failure of their engagement for the payment of 40 Lacks of rupees which was settled between them the last year. He said he was ready to comply with the terms which he offered me the last year which he had ever since carried in his remembrance.

I said that I had only one objection to his proposal, and that I had already repeated, which was the great expence of our Army; that our present condition would not admit of such an Expence for the prospect of remote Profits; that, if this difficulty were removed, I approved of his scheme and would engage in it. He said he had already agreed to a stipulated monthly Payment of 115,000 which

¹ The *pargana* was a fiscal unit of the Mughal empire; see my article on 'Pargana' in the *Encyclopædia of Islam*

² Oudh.

³ These words have been added in a different hand

⁴ Safdar Jang, ruler of Oudh from 1739 to 1754, was appointed wazir of the Mughal empire in the year 1748. It was he who invited the Marathas to assist him against the Rohillas, the engagements entered into at that time forming the basis of later Maratha claims on Rohilkhand.

had been required from him the year before last, and asked what more I required ? I replied, the whole of the Expence, including pay, Batta,¹ Stores and all contingencies, again repeating that such an addition having been made to the Military Establishment of Bengal for his use only, which we should reduce when he no longer required it, he, of course, ought to indemnify the Company for every part of the Charge incurred by it. He asked what was the Expence. I answered that I was preparing an Estimate of it, meaning to reduce it to a fixed sum for a Brigade, for a Battalion of Sepoys, and for 2 Guns with the Artillery, Men, and Stores belonging to them, which I should propose to be paid Monthly so that, whatever Force he might at any time want for his assistance, the charge of it might be exactly known.

He made no other objection but enquired whether I required this additional Stipulation to take place immediately, exclusive of the consideration which he was willing to allow for the Rohella Expedition, or to take place after the Expedition, and the Monthly Sum of 115,000 Rupees to go on in the mean time as formerly, because it was not in his power to do both. After some hesitation, I said that an entire Sum for the Expedition would be sufficient, and the new Stipulation for the Army Payments might be agreed on to commence when this should be concluded. but, recollecting myself, I added that as the Mode of paying this consideration was not yet settled and it was absolutely necessary to save ourselves in our immediate Expences, I thought it best that both should begin together. He said the difference of Expence might be obviated by paying us in advance whatever might be wanted on that account, deducting the difference between the advances and stipulated monthly payments from the sum agreed on for the Rohella Expedition on the settling of our Accounts. I replied that I was willing to agree to this mode, if he, upon reconsidering all circumstances, should urge it. I foresaw that the difference of the Military Expences was an Argument which would forever recur till it was totally removed, that he would be under the necessity of negotiating a new Treaty for the adjustment of this point; that this would give rise for other subjects of requisition, and that I wished rather to take in at once every Article which might at any time become a subject of dispute than to leave it for future Negotiation. The Nabob² assented but expressed an apprehension lest this should subject him in time both to a perpetual Tribute for such a stipulated payment and an Obligation to retain our Troops whether he wanted them or not, on pretence of its being so settled by Treaty. I removed his apprehensions on this head by assuring him that this should be so guarded against in the wording of the Treaty that no such Consequence could possibly be drawn from it; that at the same time it was necessary to obviate other bad Consequences from the Presence of our Forces in his Country. If allowed a boundless license to go and do where and what they pleased, they would plunder, oppress, and depopulate his Country, as was the practice not of soldiers only, but of every class of mankind in every part of the world. This would make our Alliance, even while he benefited by it, a thorn in his Bosom, and our Troops would lose their Discipline and grow good for nothing. He must

¹ *Bhata* or *batta* is an extra allowance given to troops when in the field or on other special grounds

² For the various meanings of this word see H. A. R. Gibb and C. C. Davies in the *Encyclopaedia of Islam*, s. v. *naib*, *nawab*, *nabob*.

allow it to be an express Article in our Treaty that, wherever our Forces should be quartered in his Country, a Line should be marked for their Station beyond which they should not be allowed on any pretence to pass, whether in the Field or in Cantonments, that they should be kept in One body, and, if his Service required small detachments, they should be made from his Troops not ours, but that he must effectually provide against the necessity of breaking through this Rule, by procuring ample and timely Supplies of every Necessary for the Use or Subsistence of the Army. To all this he expressed his Assent, but with a Doubt of its Effect. In the discourse upon the subject he mentioned some Apprehensions of the Abdallces coming to disturb him while he was employed in the Rohella Expedition and asked whether I advised the undertaking it instantly, or to delay it. Of that I said he was the best judge as I professed little knowledge in the military science, but that it appeared to me that the Abdallee would become weaker the further he advanced from his own Resources, that it required great Abilities and an experienced Understanding to provide against the want of Provisions and of a Communication at such a distance from their own Country, that he had represented their Chief as a Youth without Practice or extraordinary Talents of any kind, that, therefore, I saw no Cause to dread any Consequences from such an Enemy who was yet at Candahar, but that of this point I left him to judge and to determine whether the Expedition should immediately take place, be postponed, or laid aside altogether. It was agreed that the Expedition should be undertaken. The pay of the Army and the Consideration for our Assistance were left for consideration.

On the Business of Cora and Illahabad much was urged on both sides of which I can only relate the substance. The Inconveniences of our holding it were again enumerated. I admitted of them and even added to his List the Necessity which we should be of marching through his Country to reach our own, if we kept those Districts, which would be a source of infinite Vexation to him and hurt to his revenue.

I wished therefore for his sake to part with it, but I could not consent to do it without an Equivalent. It would yield us a handsome and improveable Revenue. It would maintain a large Force and a small one would defend it. 'Yes' he said, 'in peace.' But, the Instant an Enemy approached it or the Rumor of War was heard, the Reiat¹ would withhold their Revenues and it would yield us nothing, that the Marattas would certainly return and claim it, and, if ever we were at War with them, this would certainly be the object and seat of it. This, I argued, would be the same whether he or We had possession, but that we were sure of an Interval of peace, and of a valuable Income during that Interval, which was likely to last for a twelve month at least to come; that, if I gave it up, it must be for a Consideration in Land or in Money. The Company had cast their Views on the Territory of Rajah Cheyt Sing² and would expect that I should avail myself of such an Occasion to exact an Exchange of one Country for the other. I knew his utter Repugnance to part with the latter. I would not therefore propose it, as I could not insist upon it, and I knew the pain it would give him, but it was the more necessary therefore that in any other Accommodation I should secure to the Company such Conditions as might satisfy them for my Forbearance in this Instance and with the Cession of their property. Again I repeated that it was in our Hands.

¹ *Ryots*, peasants, cultivators. ² *Raja Chait Singh*, *zamindar* of Benares and Ghazipur.

We could keep it and could find my (*sic*) Interest in keeping it I would part with it, but not unless I was indemnified for the Loss of it.

He asked me what I valued the Rents at I said 26 Lacks, which was less than the medium for the last 5 years Collections, and deducted four for the Charges. I was sure of 20 and could encrease it if it continued in my Hands He disputed the Amount both of the Rates of Collections and Charges; appealed to the scanty Remittances made by Moneer o' Dowla to the King, and the refractory Spirit of the Zemindars¹ and Reiaats who would only pay with the sword at their throats

The ready Answer to this was that Moneer o' Dowla had dissipated the Revenues and paid the King just what he pleased, that his Collections had been what I had above asserted and his Charges enormous; that a single Battalion would prove a more effectual Check on the Spirit of the people than all Moneer o' Dowla's irregular and various Forces; and that the Sum at which I had estimated the Charges was formed on an accurate Calculation

I omit many Arguments of less Moment which were urged on both sides as it would be tedious and unnecessary to put down a full detail of what passes in a free Conversation, where Arguments are often repeated, although perhaps in a different Manner yet with little Variety in their Force. The foregoing is however the Substance of what passed.

It was finally concluded that something should be given by him for the cession of Cora and Illahabad, and that we should both put down separately on paper the Articles on which we had agreed, with the blanks filled up for the Sums to be paid for the Stipulation

I do not recollect whether the proposal of obtaining from the King a Renunciation of the Tribute came first from the Vizier or myself. He promised that he would undertake it and engaged to effect it. As to the King, We both agreed that his Interests required to be provided for For this purpose he proposed to march into the Country lying between Delhy and the Ganges with his Army, and to conquer it for the King, which he assured me would be a work of no Difficulty or Hazard; was a mighty Object to the King and produced a good Revenue, that in his Situation he would sensibly feel the merit of such a Service and be ready to grant anything in return. I had no Objection to the Scheme but that I feared it would draw us thither too, and I declared that I could not, and would not, consent to any plan which should carry our Arms on that side of the Ganges, that, besides the unconquerable Aversion which my Superiors at Home had to that Quarter as a Scene of our military Operations, I myself dreaded the Issue of them there, as the whole World lay before Us without a single Boundary to stop our Progress, which, though allowed to a very very remote Line on the North side of the River, was clearly defined and our Plan of Operations simple, nor liable to variable and accidental Interruptions from other Powers; that, although his Forces only should be first employed on this Service, yet, if they met with a Check, We were tied to him and must follow for his relief.

He said he did not want our aid in this Business which he would easily execute with his own Forces; and that he would take upon himself the whole Charge of

¹ *Zamindars* were holders of land or farmers of revenue For various types of *zamindars* see my *Warren Hastings and Oudh*, pp. 118-22.

it and ensure us from all Consequences It would be necessary only for our Army to march to the Bank of the River and then wait the issue of his Operations.

Speaking of the Stipulations to be made for Cora he advised that they should be expressed in this Manner that the Districts of Cora and Illahabad which formerly belonged to himself having been given to the King by the English Company for the Maintenance of his Dignity, and the King having since given those districts to the Marattas, who were the Enemies of the English and of the Vizier, he had thereby parted with his right to them, which had reverted to the E. Co¹ from whom he originally received it

In the Evening Mahmud Ellich Cawn² came to me with the substance of the preceding Conversation reduced to Articles. Having read them and acquainted him with my Objections, I presented him with a like paper drawn up on my part which I desired him to shew to the Nabob.

26th Aug^t The Nabob again came to me this morning a little after 7 Mr Vansittart was with me and present during the greater Part of the Conference I began by remarking that in the Article which he had drawn up respecting the Rohella Expedition he had both fallen short of the Terms which I understood had been agreed upon between Us the day before, and had offered less than he had formerly done by Letter, as the monthly payment of the Army had been before settled at 115,000 Rupees per month, and the Consideration which he then proposed was 50 Lacks independent of those payments The Arguments employed on both sides were of the same Nature with those of the preceding Conversation. In the Conclusion he in part assented, on my desiring him to wait for the Estimates of the military Expences, to pay the whole Expence and 40 Lacks

I objected to his delaying the Measure for obtaining the Renunciation of the Tribute till the Conclusion of the intended Expedition as it left the Issue of it too uncertain, and the Merit of it both with Respect to him and myself would be much lessened by it, there being a wide difference between a point of that nature effected in Favor of the Company and in Favor of the King of Great Britain who could acknowledge no right of Tribute in any power upon Earth. He said that might be, but he was unwilling to undertake more than he could perform, and that he was certain any proposition of the Kind made at this Time to the King would be rejected, especially when he was likely to be disappointed in his Hopes with Respect to Cora and Illahabad. To shew how little the King was inclined at this Time to give, the Vizier produced a Letter which he had just received from the King in which he gives him a full power to treat with me upon his Affairs, peremptorily enjoining him to reclaim possession of Cora and Illahabad, to effect the immediate Remittance of the Arrears of our Tribute, and settle the Mode for its future payments. I had nothing to reply to an Argument of which I felt the full Force, and quitted the Subject.

I made one Objection to the wording of the Article respecting Cora and Illahabad, as the Claim of Right admitted in him would wear an Appearance inconsistent with the Connection between him and the Company, and I desired it might stand as he himself proposed yesterday. The sum to be paid for our relinquishing the

¹ *East India* in the copy

² Muhammad Ellich Khan, the *diwan* or chief minister of Shuja-ud-daulah.

possession to him, which I had rated at a Crore ¹ of Rupees and he had left a Blank, was a subject of much Argument. I frankly told him that I did not mean the Sum which I had written as the precise Amount required for this Cession, but that it was necessary to make it equal to the Expectation which the Company would form from its Value, although a much greater Amount than that which I had inserted would fall short of their Ideas of the Price of landed property in England, where Estates are estimated by many years purchase, which I explained. This he said was very different from the practice of India, dwelt much on the Expence of maintaining the District, the Suspension of its Collections on every Alarm of an Enemy, the sure Resentment which it would draw upon him from the Marattas, the Displeasure of the King which he must appease, and the Want of Means to answer so many Calls as We should have at once to make upon him, that not only the Collections and Charges, but his present Abilities were to be taken into the Account in forming the Rate which he was to pay. He concluded with an offer of one year's Revenue. I answered that I had no Occasion to give him the Trouble of collecting for the Company so small a Sum. I could do it myself. If I parted with it to him it was for his sake, for the Credit of his Government, for the Removal of many Causes of disquietude which it would give him, and for the Encrease of his power. The Collections would be a sure Fund in our Hands, would require but a trivial Force in peace, and, in War, would maintain that which should be necessary to defend it. I had waved [*sic*] all Pretensions to the Gazypoor Countries in respect with his feelings, though strongly impelled by the known wishes and implied Commands of my Superiors: but that I expected an equivalent in some other way and confessed I should be better pleased with Money than with Territory, provided the sum was such as I judged would satisfy them and induce them to quit their Views on the Gazypoor Lands. His Interests and future peace were equally concerned in this Accommodation, as it would certainly be a Source of Discontent if they should not approve of it; and that would operate in many ways to the prejudice of our mutual affairs, although he might depend upon the inviolable observance of the Treaty which should include it. As to the Marattas, I judged differently from him, although he was justified in his Conclusions from his past Experience of them. They would most probably return this way whenever they were freed from their present disturbances. They would make demands and threaten, but I much doubted their Intention of proceeding to Extremities. They too well knew the danger to which they should expose themselves by a War with the English who could attack them from many Quarters at Once; from Bengal, from his Territories, from the Carnatic, and from Bombay which was but a Week's easy March from Poona. that a System of general Controul over the 3 Establishments was alone wanting to make such a confederate Attack upon the Marattas of real Effect; and the period I hoped was arrived in which the 3 Establishments would be united in One System. The Marattas had manifested their Consciousness of the Advantage which this Situation gave Us over them by so steady a Caution to avoid a Quarrel with Us, that not a single instance had happened since the Establishment of our power of their venturing on open Hostilities with Us, that they had courted our Forbearance and even solicited and obtained a Treaty for no longer

¹ Ten millions, or a hundred lakhs.

a period than Two Years with his Majesty's Ministers at Fort St George,¹ the period of which was lately expired, and that the Company in their latest Letters cautioned Us to avoid Hostilities with the Marattas yet command Us to to repel them when ever offered, an Injunction which I should not fail to obey, if no intervening Circumstances rendered a more passive Conduct necessary, by declaring to them that the first Attempt against the Province of Cora should be considered as a Declaration of War and resented as such. The Vizier promised he would again consider what he was able to afford and give me his ultimate Answer upon it

The principal points being thus far agreed, I opened to him those which still remained to be discussed First, I desired him to ascertain the Means by which the Payments due from him were to be discharged He promised to give Assignments on some creditable Shroff² for regular and punctual payments, and he added that We could at all Times withdraw our Troops which would be certain ruin to his Affairs, if he failed in his Engagements The Mode I readily agreed to as it was what I should myself have proposed.

I had a long Discourse with him concerning the Defects of his Seepoy Establishment and the Necessity of his Maintaining a Corps of good and disciplined Horse. I may again have Occasion to resume this Subject, and as I meant and professed what I said only as Advice, I leave . . .

Here one sheet of the original draft is missing³

28th Aug^t The Nabob visited me and introduced six of his Sons.⁴ He stayed long, but the Conversation passed only in speculative Conclusions on the approaching Campaign and on the other points which We had agreed on, in the Relation of past Transactions, and in Professions of mutual Satisfaction He complained much of the hard Terms which had sometimes been imposed upon him, the intemperate Behavior of General Smith, and the injurious suspicions which had been propagated and believed against him, against every show of Reason, instanced particularly the Treaty of 1768, in which it is expressed that on Account of the Rumors which had been raised of his Infidelity to the Company the Deputation had been sent to him, that they had found the Reports to be false, and were satisfied that he had in no Instance whatever deviated from his Engagements And yet this Declaration is immediately followed with a Restriction imposed upon [him] to keep only a limited Number of Troops, as if he had been guilty of such Acts of Treachery that he was not to be trusted even with the power of defending himself, lest he should employ it to our Hurt. My Curiosity led me to examine the Treaty immediately, and I found to my surprise that it actually contained the absurdity which he mentioned, and which I suppose had escaped my notice by not having read the preface of it, as I seldom read prefaces.

He informed me that when the Maratta Chiefs retreated to Deccan they made him proposals of peace, and promised that their Chief, Narain Row, should enter into a Treaty of Friendship with him, if he would consent to it; that he agreed to

¹ Madras

² Banker, money-changer

³ These words have been added in a different hand.

⁴ Shuja-ud-daulah by thirty-one women had forty-nine children, male and female His only legitimate son was Mirza Amani who eventually succeeded him in 1775, with the title of Asaf-ud-daulah.

receive such proposals as should be sent him from Naram Row, and desired my advice whether he should enter into a Treaty with them. I replied, by all Means, if he could obtain any present Advantages from them, but not to trust them, as their Disregard to their Engagements was notorious, that however I thought it best to wait the Progress of their present Troubles. I expressed my Apprehension lest such a Treaty should prove an Obstacle to his Designs on Sahranpoor etc., and he, lest it should prove an Embarrassment to him in his Alliance with us. To these Difficulties he himself proposed the Remedies by saying that he should insist on their evacuating their possessions between the two Rivers, and that it should be an express Article that his Friendship with them should last no longer than while they were Friends with the English.

Recollecting that the Cession of Cora might effect Moneer o' Dowla and have the appearance of our acting an unfriendly part towards him, I intimated the Necessity of making a provision for him. The Nabob smiled and said I should receive no Complaints from Moneer o' Dowla. He would engage to satisfy Moneer o' Dowla with whom he was then on Terms of the strictest Confidence, and assured me I should have no Cause to be dissatisfied on his Account—adding lightly that, if he should play Moneer o' Dowla a trick, it would be but one payment of 20 which he owed him. I was satisfied we were under no Engagements to Moneer o' Dowla, nor had he taken any pains to secure an Interest with me, having never been near me since my Arrival nor employed any one to negotiate for him. For the first he had the Excuse, and I believe a true one, of sickness. The latter looked like a Confirmation of what the Vizier had assured me and of Moneer o' Dowla's Reliance upon him.

I shewed the Nabob a Letter which I had received from Hafiz Rahmut Khân¹ and desired him to advise concerning the Reply which I could make to it.

In the Evening Mahmud Ellich Cawn came to me and made the following proposals on the part of the Vizier.

1st To pay 50 Lacks for the Conquest of the Rohella Country, and 115,000 Rupees per month for the Charges of the Brigade

2nd To give 25 Lacks for the cession of Cora and Illahabad, 15 in ready Money and 10 in equal payments, 5 at the expiration of one Year and 5 at the Expiration of 2 Years

3rd That the Vizier should take from Rajah Chert Sing Ten Lacks of Rupees, and the Forts of Bidjygur and Luteefgur.²

To the First I replied that the Company could not support the Expence of keeping up so great a Force for his Service, and that it must be the subject of a future negotiation, if deferred now, and hoped he would allow this Article to stand as I had before proposed for 40 Lacks and 2,10,000 Rupees per month. The 2nd I peremptorily rejected, as I could not listen to an Offer of One Year's Rent, which it was always in my own power to collect for the Company, for a perpetual Cession. At length I desired him to acquaint the Nabob that I had fixed upon 50 Lacks from the Beginning as the just Amount of the purchase of these Districts, and that, if he would agree to this Sum, I would yield them to him, but that I could not hear

¹ Hafiz Rahmat Khan, the leader of the Rohillas

² Bijagarh and Latifgarh

of lower Conditions To the 3rd I said I would reply to the Nabob in person, and wait upon him for that Purpose in the Morning

30th Aug^t In the Morning I went to the Nabob. Mahomed Ellich Cawn, who had been present in every Conference between us, attending as usual, introduced the Discourse by telling me that he had related to the Nabob all that I had said to him last night Some Arguments passed upon the Business of the Monthly payments and the consideration for the Rohella Expedition, the Nabob still pleading the difficulty of paying so heavy an Expence and myself insisting on what I had before urged to M^d Ellich Cawn At Length he gave up the point and agreed that the Monthly payments should be fixed for 2,10,000 Rupees, And the Consideration 40 Lacks to be paid when he dismissed Our Troops, whether the whole or only one half of a Brigade, which he said I might be well assured he would do the Moment he could dispense with their presence, as it would ruin him to bear the perpetual Burthen of such a Charge; and it would be bad policy (he added smiling) to keep them for ever with the annual loss of 25 Lacks for the sake of saving one payment of 40.

The next subject was that of Cora and Illahabad He pressed me to agree to 25 Lacks I entreated him not to press it and repeated the Arguments which I had used with M^d Ellich Cawn He declared himself unable to pay such a sum added also to so many other heavy demands, viz^t the monthly pay of the Troops 25 Lacks, the Rohella Engagement 40; and that for Cora 50, amounting altogether to a Crore and fifteen Lacks of Rupees, of which Ninety Lacks to be paid in the Course of One Year. From whence was he to get it? His Treasury would not afford the smallest part of it. His Collections would not suffice to pay the Arrears of his Troops, to purchase Stores, to provide for the other Exigencies of the approaching service, and to enable him to take the Field His Expences were enormous and such as I could hardly have a Conception of, and the misfortune was, though they were most unreasonable, he could not reduce them. He had a large family His Brother Sâlâr Jung,¹ received not less than 5 Lacks a Year. The charge of his Father's Zenâna had descended to him. He could not turn them off. His honor forbad it. Some or other of his Relations were for ever running away, and their Wives and Daughters were left upon his Hands. He was obliged to take care of them. Even Negif Cawn's ² Wife and Daughter had been left upon his Hands (The Wife indeed was dead.) In short his Expences were boundless He was desirous of complying with the Terms which I required of him, but could not do within the Compass of his Ability. After much Debate he proposed 40 Lacks viz^t 15 Lacks in ready money and the remainder in 2 equal payments to be made at the Expiration of this year and the next This produced a Silence between Us for some minutes, after which, having well reflected upon it, I thought it best, and but reasonable, to yield a little, and told him I would give up 5 Lacks, and proposed as the best means of terminating the (Business) Dispute, that it should be thus agreed to, viz^t

¹ Salar Jang was the brother of the Bahu Begam, the wife of Shuja-ud-daulah

² Najaf Khan, a Rohilla military adventurer who had risen to prominence in the Emperor's service and who for some time after the battle of Buxar (1764) had received a pension of two lakhs of rupees from the Company. See India Office *Bengal Secret Consultations*, Range A 37, 29 August 1776.

20 Lacks in ready Money, 15 at the End of this Year and 10 for the next, making altogether 45 Lacks. He leaned back in his Chair, pressed his lips together and stroked both his Whiskers alternately for the Space of Two Minutes, and then replied he would agree to my proposal, but desired that I would allow him possession one Year back, which, after some explanation, I found meant the Right of calling Moneer o' Dowla to an Account for the Balance of that period. I hesitated, not knowing the Consequences, fearing on the One Hand to be involved in Disputes about intricate Accounts, especially as the Company had already received above a Lack for that Year; and, on the other Hand, lest any Steps which he might take in the Enquiry might be imputed to Us, both as an Injury and Breach of Kindness to Moneer o' Dowla. "Be assured" (he replied) "that I will do strict Justice to Moneer o' Dowla. I never injured him, nor will I ever give him the least Cause to complain of me. Why should I? My Disposition is neither violent nor unfeeling, and I will never act against it by treating a Man of his great Age with severity. I intend only to settle Accounts with him. He has paid nothing to the King, nor any way accounted for his Collections. I will demand from him what remains due. He has no Right to it. The Company will not get it, nor the King, and I shall be enabled to discharge my Engagements with it to You." I told him I would not object to it, but did not chuse to hazard my Credit in a precipitate assent to a proposal which might be contrary to M^r Lawrell's Agreements with him, and I therefore desired a little Time to consider upon it. He assented. Thus this point rested and I thought thus far determined.

I told him there was one point only remained and that was of so delicate a Nature that I had declined giving an Answer upon it to M^d Ellich Cawn, chusing rather to deliver it in person. I meant his demand respecting Chert Sing. This was not a Matter of Negotiation, nor indeed within my province. A treaty had been formally ratified between L^d Clive and the Vizier including the Rights of Bulwunt Sing, the present Rajah's Father, by a special Article, and at the same time the strongest assurances of perpetual protection had been given to him and his Family. These Engagements had been inviolably maintained by L^d Clive, M^r Verelst, and M^r Cartier. If I should break them, what Faith would he himself place in my Engagements with him, with so glaring a proof of my Infidelity before him? A pretty Business I should make of it after having travelled 500 Cose¹ to improve and confirm the Company's Alliances, if I returned loaded with the shame of such a Dereliction. The Treaty had already been stretched beyond its due Bounds in One point by the Augmentation which he had made of 2½ Lacks to Chert Sing's stipulated revenue, and, in another, by imposing Charges on him without allowing him Credit for them in his payments. As to the former, it was an established Act, and had taken place in the Time of my predecessors. I would not dispute it. But I hoped that he would consider himself as bound by his Treaty to allow the Rajah deduction for the Expence of any Troops employed on his Service and on his Summons, or for such other Expence as might be incurred on his (the Vizier's) Account, since these in Effect were payments equal to money, whether delivered to his Hand or made for his Use.

To all this the Nabob replied by desiring me to look at the Treaty, and to

¹ Kos a variable measurement of distance, usually estimated at about two miles.

see in what Article of it Chert Sing was included. He admitted his Obligations to Bulwunt Sing, because he was expressly made a part of the Treaty, but it was neither expressed nor ever intended to include either Chert Sing or any of his Family, nor to extend beyond the period of Bulwunt Sing's own Life. 'Nay,' says he, 'L^d Clive himself, when we were at Chuppra¹ together, often alluded (as I also did) to this sense of the Treaty, and I well remember saying ludicrously that I wished the old Man dead that he might not remain a Cause of Contention between us, as he on his part desired me only to have patience till Bulwunt Sing was removed, and every Thing would revert to its former Footing. It was also with his Consent and Concurrence that I laid the Ezaffa² (Augmentation) of 3 Lacks upon the 17 which was Stipulated by Treaty. Of these Facts I have no Proof, but L^d Clive, were he present, w^d confess every One of them.'

I assured him I required no Evidence to believe whatever he might assert to me on his own bare Word, but I could not admit of any Words of L^d Clive's, however direct to the Point before us, to be more binding on me than those of the lowest Individual. I could go by no Authority but that of the Treaty, which, it is true did not mention Chert Sing by Name, nor the Family of Bulwunt Sing, but was certainly understood both by my predecessors in the Administration, and by the Company themselves, as including the whole Family and posterity of Bulwunt Sing, that such is the supposed Tenor of all Treaties unless the contrary is expressly declared by a Limitation of their Effects. It was, however, sufficient for me that such was the universal Opinion, nor could I act contrary to it without exposing my Character to Reproach, and my Service to Forfeiture. In a Word this was not a Subject for Debate. I had no power to change or meddle with it, nor was [*sic*] I yield his pretensions and establish them by the most solemn Acts of Treaty, would they avail any Thing against that already subsisting. The Company would cancel all that I had done, nor desist till Reparation were made for every Consequence of it.

The Vizier was greatly moved, and, as I thought, disappointed by what I said. He still combated it, declaring that he knew not any possible Means of fulfilling the Conditions which I had required of him. At length he desired only that I would suffer him to take 10 Lacks in Advance from the Rajah to be deducted out of the next Year's payments. This I said I could not consent to, but, as the declared purpose of this proposal was to pay what he should owe to the Company, I myself would accept an Assignment upon the Rajah for that Sum in Lieu of ready Money, which would answer the same End without exposing me to Reproach or alarming the Rajah. This he did not approve of. He then said he should be absolutely unable to make any payment in ready money. 'Allow me' said he, 'to put off the first payment for Cora but one Year, and I will say no more upon the Subject of Chert Sing, which I unwillingly mention as I see that it is not agreeable to you.' I received the proposal with much Concern, repeated the necessity of our Affairs, the little credit which the Company would give either him or me for Lacks in Rever-

¹ In 1776 it was considered desirable to formulate a scheme of defence in the event of a Maratha attack upon Oudh. For this purpose Clive, Carnac, Shuja-ud-daulah, and the emperor's minister met at the Conference of Chupra.

² *Isafeh* or increase.

sion, unless some thing was given in Hand as an Earnest and Assurance of the future Payments. I again quoted the Ballagaut ¹ Expedition undertaken with a present Expence and on the Condition of a remote payment on the Conclusion of it, which never happened. This, I said, would be received as the exact Counterpart of it, and would draw from the Company the same Answers repeated, of which the Effects would fall on me alone, without time being allowed to wait the Issue of his Engagements and the Success of the undertaking. He answered that he saw no other means of removing the present difficulty but by concluding the Cora Business alone and postponing the Rohella Expedition to another year. This I told him I had no objection to. It was his Business, not mine, though it did not appear to me how it would mend the matter, since he would be equally unable to provide the ready money payment, with which the remote payment of the Rohella Engagement had no Connection. He said it was true, but it would save him the Expence which the preparations for the Campaign would put him to, and the Money he had destined to that purpose might be applied to the immediate discharge of the Cora payment.

I acquiesced in his Reasons and expressed my Approbation of his Opinion, repeating that, when I agreed to engage in the Rohella Scheme, I took a great Risk upon myself and that I believed the Company would be better pleased that their Troops were withdrawn to their own Territories than employed in distant Wars, although the Event might be a Means of future Security to him and to themselves. I desired him to reflect that nothing but my Concern for his Interests prevented my taking the Measures for the Security of the Company's Affairs which I had pointed out to him in our first Conference, that the possession of Cora, which I always mentioned with Reluctance, could not be attended with the least Inconvenience to the Company but must be greatly prejudicial to him; and, therefore, it was that I wished to part with it to him upon such Terms as I could justify to my Employers. I was sorry that we could not agree on those Terms, but I could do no more. I had frankly imparted to him the State of the Company's Affairs and would give him a further Instance of the little Reserve which I used with him, by informing him that I left the Treasury of Calcutta empty, and a debt upon it of a Crore and a half of Rupees which it was my Duty to find the means of discharging. The Nabob said he was willing and desirous to do what he could. If his Means should not be equal to his Wishes, he hoped it would occasion no difference in our Friendship. I answered certainly not, but that we should both lose the Fruits of the Friendship. We parted on good Terms but with nothing decided.

I told ² the Nabob at this meeting that we must settle together his account with the Company for the extraordinary charges of their troops to this time. He said he had a demand on the Company for the balance of two Tuncaws ³ amounting to 11 Lacks of rupees which the King had given him on Moorshidabad before his march from Corah for money he then advanced him, and which he had done on

¹ Balaghat in the Carnatic

² This paragraph and the next have been displaced in the original manuscript to fo 83, but there is a note (on fo 48) that they should be inserted here. They appear in their correct place in the copy.

³ *Tankhwah*: an assignment by the ruling authority upon the revenues of any particular locality in payment of services, money, pension, etc.

the faith of our Government as no resolution had then been taken by us to discontinue the payment of the tribute I desired him to send both these accounts that they might be compared with ours, and told him that they should be settled as might appear equitable

I put the Nabob in mind to send his accounts with the Company relative to the extra charges of the Army.

31st Aug^t In the Morning Mahmud Ellich Cawn came to me with this Message from the Nabob, that he would engage to pay us 20 Lacks in 7 Months and the remaining 25 as had been before agreed on, hoping I would consent to this I desired him to inform the Nabob that I could not, but would offer him the last Condition which, if he would assent to, well, if not, I could proceed no further in the negotiation.

In the Evening he returned with an Answer that the Nabob consented to the ready Money Ten Lacks, and would come to me in the Morning with his Answer concerning the other Ten, in the mean time he proposed to give me a draught on Cheit Sing for it, payable in ready Money, and to be deducted from his Rents two Years hence I rejected the proposal

This Morning the General brought me the original Treaty made between the Vizier and the Rohellas and left it in my Hands.

1st Sep^r The Nabob came to me before Seven, and staid with me till near Eleven I shall not attempt therefore to relate more than the Substance and principal Matter of the Conversation which passed between Us

I told him that the Accounts of Cora and Illahabad had already been settled between Moneer o'Dowla and M^r Lawrell and would admit of no Retrospection. He could only take possession from this Time. After a short debate this was agreed to

The Subject of the ready Money payments for Cora and Illahabad was begun, suspended, and resumed several Times, the Nabob desiring an Interval of 7 and 6 months and afterwards of 5, for the Second Sum of Ten Lacks, and myself insisting on its being paid in Three Months. The following Subjects all occurred in the Course of this Debate. He desired that the past Accounts might be settled between us. I said they were ready and might be adjusted in half an Hour between M^r Vansittart and Mahmud Ellich Cawn as had been before agreed on. This would make no difference. I would not dispute the Tuncaw, the Balance of which would amount to nearly the same sum as that of the monthly payments due to our Forces. No, he said, the Balance would be greatly against Us. His original Claim amounted to near 18 Lacks, 11 for the Tuncaw, and 7 more or less for the Advances which he had made for the pay and Charges of the Battalions stationed with him under the Command of Captains Hill and Harper.¹ I expressed great surprise at this demand, which I told him was entirely new to me, as I always understood that those Troops had been raised for his express Service, had been employed on no other, and their Expence wholly his by Agreement. He replied that his Agreement was only to pay their Batta (or extra Charges), and that he had often made his Demand on

¹ Captain Gabriel Harper, a great favourite of Shuja-ud-daulah, who was eventually recalled by Hastings because of his malpractices in Oudh. See Add MSS. 29,144, fo 32, and *Calendar of Persian Correspondence*, iv 590, 25 October 1773.

L^d Clive, Gen Smith, and Gen Barker, for the Surplus which he had paid on this Account, which he had been repeatedly promised should be settled, and he appealed for the Truth of this to Gen^l Barker, desiring that he might meet him this Evening and debate this Matter with him in my presence, which was accordingly agreed to

Speaking of the Rohella Expedition I observed that it was necessary to fix some period for the payments to begin, and an early One, because his original proposal was to pay 50 Lacks in ready Money, besides the Cession of Chunar and Mirzapoor, and the obtaining for the Company the Remission of the Tribute, before the Expedition begun This he peremptorily denied, asked if I remembered what was written in his Letter to me upon this Subject, and if it was so expressed or implied I answered that it was not, that when I received his Letter I interpreted his meaning to be as he now explained it, that the Conditions on his part should follow the performance of Ours, but that, on reading it lately, I thought the Words might admit of Two Senses, and that the General had assured me then and since that his Offer was for immediate performance before the Expedition should take place He assured me that such a Thought never entered his Breast It was true M^r Davy (who interpreted for the General) earnestly pressed for the Cession of Mirzapoor and Chunar as a Condition of the Treaty, but that he had declared that willingly he would not part with a Span of his Land to the Company, although he could not refuse if they demanded it that he could never have been guilty of such an Absurdity as to think of requiring from the King a Surrender of all his rights while he (the Vizier) was turning his Face another Way, as he must be certain that the King would refuse him, but that, after the Consequence which he should have acquired by the Conquest of a new Country, if he should then turn his Face towards the King and make him an Offer of assisting his Affairs, he might reasonably claim and exact what Terms he thought proper for him 'Judge from this,' added he, 'whether my offers were for instant performance or for a distant period' I told him I had always understood them in that Light, but that still I doubted his Ability to pay so large a sum as 40 Lacks in one payment, and therefore desired that it might begin six Months after the Army should have entered the Country of the Rohellas, in monthly payments of 2 Lacks till the whole was discharged To this he objected that it was possible We might not proceed, in which Case we had no Claim upon him, and how then could we demand payment before hand He had engaged to pay 40 Lacks in One payment whenever the Forces or a part of them was dismissed He knew his own Ability and would make good what he had engaged. He would pay both the 40 Lacks entire and all the Arrears of the Monthly pay to the Troops, without Failure of a Rupee On that I might depend This point he understood had been already concluded and begged I would be satisfied to let it rest on this Footing I told him I wanted only to fix some period and for the present would not urge the Subject further

The following is an Extract of the Translation of the Vizier's letter to me containing the first proposal of the Rohella Expedition ¹

He desired that I would agree that until the Country was reduced the Troops should not be recalled To this I agreed, and he, on his part, also agreed that, if

¹ Not included in the diary

in the intermediate Time any Enemy should invade Bengal, He would either go himself or send his Son with his Forces to our Assistance, as the removal of our Brigade while engaged in the Rohella War would at once ruin all our Designs. He next expressed his Apprehension lest Cora and Illahabad should be attacked while he was engaged in a distant War, and desired that I would not make any additional Demand on him for the Forces which might [be] sent for their Defence while the War lasted. I promised that I would not, but am doubtful whether I understood him as he at the same time delivered to me in writing his Sentiments on the subject which seem to imply a different Construction. The following is a Translation of it ¹

He asked me in what Form the Treaty should be drawn, expressed his diffidence of my Successors and of the effect of my single Authority, and desired that the Company's Name, as well as my own, might be inserted in the Treaty, in such a manner as to make it their Act and binding on every Administration. He excused himself for this Caution, knowing the Constitution of our Government which depended on a Majority of Opinions in Council, and how could he be assured that the Agreement now ratified with me might not be cancelled by another Administration, or even by the present, if five of the Council should chance to be against it and I had only three to support it ¹. He again appealed to the Treatment which he had received from the Deputation in 1768 and from Gen^l Smith in an hundred Instances in which the Treaty of L^d Clive had been utterly set at naught, which made him desirous of guarding by every possible means against the like Effects hereafter.

I told him that, if he pleased, the Treaty should be sent him signed and sealed by myself and the Council, that I would insert the Company's Name in any Manner which might afford him satisfaction and which might be consistent with my Authority. that I could not answer for the lawless Acts of Individuals, but that I would sign to nothing in which I was not morally certain of meeting the Concurrence of the Company, and, as a Proof of the perpetual Effect of the Treaty which had been originally formed between Us, I offered either to destroy or cancel by an express Article in the new Treaty the Treaty of 1768, which the Company were displeased with and of which I should never require the Observance. He replied that he would not let the Treaty be cancelled, but keep it 'alive' as a Voucher and Excuse for his precautions, but would be glad that an Article should be inserted in the new Treaty declaring it henceforward void.

He said that he considered the Treaty of 1765 as the Foundation of his Friendship with the English, and the pledge of their perpetual alliance, that he was fearful of weakening the Authority of that deed by entering into any Engagements which should seem to contradict the sense of it. It is therein expressed that he should pay the extra Charges of the Forces employed on his Service. These had been fixed at 115,000 Rupees per Month. He now agreed to pay the whole Charges and had fixed them at 2,10,000 Rupees per Month. This might open a door to new demands unless it was obviated by wording the new Treaty in such a manner that it should leave the old unchanged; that it might be expressed to this Effect: that in Consideration of the Assistance afforded by the English Forces in punishing the perfidy of the Rohellas and in putting him in possession of their Country, the Vizier agrees

¹ Not included in the diary

to pay monthly for their pay and Charges 2,10,000 Rupees, but that this shall not affect the original Treaty between the Vizier and the Company by which it is stipulated that he shall pay only the extra Expences of the Troops when employed on his Service, and that, when they shall be required for his Defence, he shall pay only the extra Charges as stipulated at 115,000 Rs p month This I objected to as rendering what we had already agreed on, besides that I would not answer for the performance of a Condition which would exceed the Company's abilities, and, therefore, durst not accede to it. But I promised that I would propose such a Form of Expression as should answer all the Ends which he aimed at, without making any alterations in the Article itself

The Vizier some Time ago mentioned his Intention of writing to the Company and desired my Sentiments upon it. I advised it as a Measure most conducive to his Interests He now gave me the drafts of two Letters, one for the King, the other for the Company, which he read and left with me I approved generally of the last, but advised him to defer the first for a Couple of Months in which Time it would be known on what footing the Company's affairs should be terminated at home, as it might give offence to the Company to be made the mere Channel of a Correspondence with the King in the first Letter which they received from the Vizier, and as it might prove a Subject of Jealousy and injure his Interest with them, if the King should leave the Company as formerly the sole direction of their Affairs.

The Following are Translations of both Letters Here follow Translation of two other papers which he put into my Hands concerning the Rohellas and the Oppressions laid on the Commerce of the Country¹

It being agreed to meet again in the Evening I desired the Nabob would then give me his final Answer concerning the ready money payments.

He took his Leave and presently after Mahmud Ellich Cawn returned with a proposal for paying the last 10 Lacks in 4 Months viz^t 5 in 3 and the other 5 in 4, pledging himself for the punctual discharge of each Sum within the terms prescribed. I without Hesitation complied I immediately wrote to the General and received from him the following Answer, followed by the Letter annexed, explaining what he knew upon the Subject of Cap^t Harper's Battalion²

I sent a Note to the Nabob desiring him to postpone coming as the General was prevented from joining Us.

2^d Sept^r Mahmud Ellich Cawn came to see me with a Message from the Nabob desiring that the Account of the 19th Battalion³ might be settled before We proceeded further, and that he might talk this Business over with the General in my Presence. I informed him what the General had written to me on the Subject, which I also sent to the Nabob afterwards in writing. I desired him to propose to the Nabob to fix a period for the payments of the Rohella Acknowledgment to commence, as the Company might otherwise be alarmed with the Apprehension of the Brigade's being detained for ever in the Rohella Country, and might suspect the Reality of his Intention to pay the 40 Lacks, while no Term was marked to which they could look for the Receipt of it; and the more especially as, if our

¹ Not included in the diary.

² Not included in the diary

³ For the settlement of this claim see *Calendar of Persian Correspondence*, iv 790, 29 January 1774.

Army should be long detained by him and We should be under the Necessity of recalling it for any sudden danger at home, it would afford him a plea to declare the Agreement null by its being taken from him before the Service, according to his Construction of it, should have been completed. I computed that by the 1st of Showal¹ or 16th December our Army might enter the Rohella borders, and that, if successful, he would certainly have begun his Collections within Six Months from that Time. I therefore proposed that the payments should begin in the Month of Rebee al awel, the last Day of which answers to the 10th of June, 1774, and continue monthly at the Rate of 2 Lacks of Rupees p month.

In the Evening he returned with the Nabob's Answer that he could not proceed with Satisfaction to himself until the Account of the 19th Battalion was first concluded.

This Morning Mess^{rs} Lawrell, Lambert, and Vansittart assisted in forming the Articles for the Treaty. In the Evening the General met me for the same purpose. We did little. The General was very reserved, made few Remarks, and proposed nothing but in Answer to the Questions which were put to him. He however dropped many Intimations of the doubtful Issue of the Rohella Undertaking, the Interruption which it would probably receive from the King, the Marattas, and the Unsteadiness of the Nabob's Disposition.

I now found myself most unseasonably entangled in an Altercation, both with the Vizier, at the very instant that I expected to close my Negotiation with him, which till now had been conducted with the most cordial and friendly Temper on both Sides, and with the General, whose Assistance I was really solicitous to obtain in the Execution of the plan which I had thus far resolved on.

I was conscious of having paid every Degree of Attention that was due to the General, both to him personally, and in supporting his Credit with the Vizier, and was even assured by himself that the Vizier had informed him of my Wish that he should have the Conduct of the proposed Expedition. Yet I was convinced that the Consequence of the General must have received some Diminution by the present² Exercise of an Authority superior to his own in a place where the Influence of the Military Commander had hitherto operated without Controul, and by his Exclusion from the Conferences held with the Vizier. If he suffered the former to give him Uneasiness, I had only to attribute it to the natural Effect of human Infirmary, and leave it to his own Reflexions and good Sense to conquer it. I had already guarded against the Misconstructions which such a change in his Situation might suggest to him by a frank Declaration at our first Interview, that it was my Design to convince the Vizier that, in his Concerns with the Company, his immediate Dependence was on the Gov^r, and to establish a direct Communication to take place hereafter without any other Intervention between the Vizier and myself. At the same Time I assured him that it should be my Study to add as much as was in my power to his Importance within that Limitation.

With respect to his not participating in the Conferences with the Vizier, a thousand obvious causes forbad it. The very purpose to which I have just alluded

¹ *Shawal* the tenth month of the Muhammadan year

² The passage from here to the words 'such as I hoped and expected' on p. 27 has been misplaced in the original, and will be found in Add MSS 29, 233 fos 23 sqq. It appears in its correct place in the copy, fo 182.

would have made the presence of the Military Commander a Circumstance equally of Restraint and Indelicacy.

The Commission which I had undertaken required speedy Dispatch. The very Essence of it was the power of instant decision Both these purposes would have been frustrated by the General's Intervention

The Conversation must have been broken by the Interpretation of every Word that was said on both sides for the General's Information. His Opinion must have been consulted on every new point that arose out of the Debate, and Arguments discussed on both Sides till We should concur in the same Determination, while the Vizier was to sit patiently and wait the Issue of our Discussions, or catch the Difference of our Sentiments and apply it, as he easily might to his own Advantage Who too should be the Interpreter between Us? I could not. A fourth person therefore must have been admitted to the Conference to act in that Capacity The other Members of the Board must of course have been called in, or they would have real Cause to be offended, and, if the Nabob had thought it necessary to support his part of the Negotiation with an equal Weight of Numbers, Our Business would have been determined by a diet instead of a Conference, and most probably concluded with nothing decided, or by Compulsion instead of a free and amicable Accommodation.

The Instances quoted by the General were not applicable to the Circumstances of my Commission There might have been no Impropriety in the Junction of Gen^l Carnac with L^d Clive They stood in a different predicament together Their Views, their Way of thinking, their Objects were the Same Each equally stood in Need of an Interpreter, nor did the Case then subsist of a difference of Interest between the Government and the military Authority.

Gen^l Smith was joined in the Deputation of 1768, because his Rank entitled him to it. Their Business was simple, to be effected by Command and not by Persuasion; and might (I will presume to affirm) have been concluded full as well by the General alone as by the joint powers of a Committee. In a Word, the Board, in the two Commissions above mentioned, thought proper to compose them of more than one person The Board chuse to delegate the Trust to myself singly. I have every reason to be convinced that the Effect was answerable to the Intention, and so well assured was I of the Necessity of this Mode before I accepted of the Charge that I would not have undertaken it on other Conditions It will be recollected that the various Points referred to my Management were none of them fixed to any specific Terms, but undefined Ideas and Wishes of the Board and the political Principles of the Court of Directors given me at large for my Guidance. The Spirit of these last is strongly repugnant to the imperious Manner in which the Vizier had been too often treated by our Government and enjoins the Style of persuasion in the place of Command. Every Circumstance of the Negotiation required that it should be managed by that familiar and confidential Intercourse which can take place only between Two Persons unembarrassed by Interruption and unchecked by the Reserve which always attends a Conversation held between Strangers and before many Witnesses Fortunately too the Habit which I had acquired of speaking the Indostan Language, though imperfect, yet aided on the part of the Vizier by a very clear and easy Elocution and an uncommonly quick Apprehension, greatly

facilitated this Mode of Communication, and not only forwarded the Conclusion of our Debates, but left him, I am persuaded, much better pleased with what had passed than if it had been conveyed to him through the doubtful Channel of an Interpreter

I took some pains both to undeceive the General and to engage his remaining to take the Command of the Army, if the projected Enterprize should take place, as he had some time before notified his Intention of proceeding to England, but had not yet come to a determined Resolution upon it

With respect to the Vizier, this sudden Alteration in his Behaviour to me, although I had been before apprized of the unsteadiness of his Mind, I own, surprized me, as nothing had passed between us that could have furnished the slightest Occasion for it. It led me however to suspect an Alteration in his political Schemes, and that he had taken this childish pretext for annulling what had already passed between us. It was not difficult to conceive the Manner in which our Agreement respecting the Rohella Expedition had operated on his Mind. It had always been his favourite Project. The Eagerness with which he pursued it and the Opposition which he apprehended on my Part had fixed all his Attention to the capital Point of obtaining the Promise of our Assistance, and diverted him from the Consideration of those Collateral Circumstances on which the Propriety or Expediency of the Attempt depended. Having obtained a readier Concurrence with his proposal than he perhaps expected, he had Leisure to reflect on its Consequences, and he now foresaw Difficulties which had hitherto escaped his Attention, and, for that reason, made the stronger Impression, when he considered the high Price he was to pay for our Assistance, the Uncertainty of the Advantages he was to draw from it, the new Cares and Troubles in which even his Success might involve him, and the dangerous Interruptions which he might meet in the prosecution of it, his Mind in all probability sunk under the Weight of the Object and he now ardently longed to get rid of the Engagement which he had before so earnestly solicited. These are very bold Conjectures of what passed within his breast and are only to be justified by the Difficulty of ascribing any other Cause for so sudden an Alteration in his Temper and Behavior. It is certain that the Conclusion entirely corresponded with the Symptoms which I have described. For my own part I was the less uneasy at the Change, both because I was assured that these Starts of Caprice were not unfrequent with him and were always followed by as Sudden Transitions to the opposite Extreme of Compliance, and because I had the clear Line ready marked out for my own Measures if the Vizier should persist in refusing to proceed in the Negotiations. I had acceded to his project against the Rohellas more with a view to the indirect advantages which were to be drawn from it than from any great Opinion which I had conceived of the Expedition itself, although the Conquest of it would prove a great Security to the Vizier's Dominions and an Acquisition of Wealth. I looked upon it as a fair Opportunity to free the Company from the intolerable Burthen which had hitherto attended every Motion of the Army, by engaging him to take the whole Charge of it upon himself whenever it should be employed in his Service; and in the present distressed State of the Company I should have been glad to have found any Employment for their Forces, even at a distance from their own provinces, which might afford a present, though but temporary, Relief to their Expences.

But the Object to which I chiefly limited my Attention was to obtain a valuable Compensation for the surrender of Cora and Illahabad. If I should be disappointed in effecting this with the Vizier, I was determined to quarter a part of the 1st Brigade upon those Districts, and collect the Rents of them till a more favourable Opportunity should occur for their Disposal, which I was almost certain could not be long wanting. Having this sure Resource and knowing that the Vizier must be the greatest Sufferer by a Failure of our Negotiations, I thought it most advisable to affect something of an Indifference with Regard to the Manner in which they might terminate, and to leave the first Advances to a better Understanding to be made by him, as I was conscious that I was in no Shape the Aggressor. This was the Principle which I observed in the above Reply to his Letter, and the Effects were such as I hoped and expected.

In the Evening Mahmud Ellich Cawn returned to me with a Message from the Nabob that he had pressed the Conclusion of the disputed Accounts because he wished to leave no point unsettled at this Meeting, but that, as I had desired to postpone it till my Return to Calcutta and he wished not to insist on any Thing which might produce Discontent between Us, he was willing to defer it, and that he would call upon me in the Morning.

5 Sep^r The Nabob came according to Appointment. After some Time in which I waited to give him an Opportunity to begin the Conversation, as he remained silent, I asked him what were his Intentions with Respect to the Points which had so long employed us in Debate. Was it his Desire to cancel what We had mutually agreed to, or to proceed?

He replied that the first Object which he had at Heart was the Company's Friendship, that he had rejoiced at my coming as it promised him the Means of adding a greater degree of Strength to it than that which it had ever hitherto received. His prosperity, his Existence depended upon it, nor had he any other Dependence or Hope, because whilst he possessed this Support he was secure against any Attempts which the united Force of Indostan could form against him, and, at the same Time, the Truth and inviolable Adherence which the English had ever manifested to their Engagements gave him every Assurance that their Attachment to him would never change. 'With this first Object continually in View,' said he, 'I dread whatever may interfere to disturb our Union and disappoint my Hopes. There is such a Delicacy in the strictest Friendship that affairs of Accounts and Money may destroy it, for, if a Man would sow Dissention between two of the most intimate Friends, his surest Way to do it would be to persuade one to borrow money of the other. This is my Case. I want not Money. I desire not to enlarge my Territory. I am content with what I possess, and should have sat down in quiet and peace with all Mankind, if others would have let me. The Designs of the Marattas against me and the Necessity of obviating them have forced me often to go to War. How could I avoid it?' Whenever I have taken the Field it has been for my own Safety, not from Enmity to others. This being the case, I wish to postpone the Rohella plan, and to confine my present Views to the possession of Cora and Illahabad, if it be agreeable to you, because I foresee that, if I undertake both, they may exceed my Ability, and, if I should fail in my Engagements, God knows what would be the Consequence. I can attend to the Business of Cora and Illahabad, if I have no

other Business to divert my Attention, in such a Manner as effectually to ensure the possession of it, and I have no Fear about the payments which I have agreed to, but, if I am engaged with the Rohellas, with the monthly Charge of the Army, the 40 Lacks to pay for possession of that Country, and 45 for Cora and Illahabad, I fear the Engagement is too weighty and I may fail in it I wish to agree with you for Cora and Illahabad only I will go to Fyzabad, and, instead of Ten Lacks in ready Money, 5 in 3 Months, and 5 in four Months, I will give 20 Lacks at once in ready Money, which I can do when I am freed from other Calls'

I replied that I was much better pleased to engage with [him] for this Article alone than for that regarding the Rohellas to which I had always felt a Repugnance, both on Account of its Distance, the Incertainty whether such a plan would be approved by the Company, and the uncertain Duration of it. On all accounts it were much better set aside But as this made a considerable Alteration in our Affairs, it was necessary that We should come to a right Understanding upon them I had promised myself that by the Success of the Rohella Expedition a provision might be made for the King and Means easily found for inducing him to a ready Compliance with our Demand for a Renunciation of the Tribute How were these points now to be effected? He said that there were many Ways and proposed One, which was to march our Army to the Banks of the Ganges opposite Delhy, which would bring it within Twenty Cose of the King; and countenance his Operations in the Recovery of Saranpoor and the Country between the Rivers.¹ He was proceeding to name other Expeditions, but I interrupted him by declaring that I could approve of no project that should lead our Army from our Borders on the King's Account, that I would wait till a fair Opportunity offered for the Vizier to effect these purposes, and that I should rely as before upon him for the performance of them. But there was another difficulty remained I had remitted 5 Lacks from the Amount at which I had from the Beginning rated the Cession of Cora and Illahabad merely in Consideration of the plea which he made of the other mighty Claims which I should have at the same Time upon him. I now thought myself obliged to recur to my original Estimate of 50 Lacks. If this was agreeable to him, the Cession should be confirmed to him, but otherwise I could not agree to it He hesitated a Minute, and said at Once, 'I agree to it'. He expressed some Apprehension of its not being approved, (whether by the Company or by future Administrations he did not explain) and that future Demands might be made to him on that Account or that the Engagement might be revoked as invalidated by the supposed Obligation of the King's prior Claim He wished that I would make the Agreement so valid that no consequence of this Nature should ever happen. I told him that I could not answer for Individuals, but that I had no Fear or Doubt of the Company who would never authorize or suffer any solemn Act of the Government to be changed, and that I would make the Engagement as binding as it was in my power to make it With this Assurance he was satisfied. He talked of going to Fyzabad after the Dussarra² and sending the money from thence. (Mem. I have omitted to mention that he from the Beginning proposed

¹ The Ganges-Jumna Doab.

² *Dasahara*: a popular festival in honour of the goddess Durga.

sending the Ready Money from Fyzabad, all his Treasure being there under the Charge of his Begum)

I said my Necessities obliged me to take my Leave of him earlier , that I hoped he would depart at the same Time, as I must otherwise be obliged to wait on the Road for the Money, as I wished to carry it to Calcutta with me He assured me there would be no delay , that, if I would leave any person who should accompany him to Fyzabad, the Money should be paid on the day of his arrival and reach me before I should have left Patna

Some Conversation of no Importance ensued after which I took Occasion to introduce the Subject of our late Differences which he carefully avoided I said I was well pleased with the Footing on which our affairs now stood, but that I had foreseen it when I received his first Letter upon the Subject of the Accounts of the 19th Battalion, which I could not but attribute to a Change in his Intentions as no Circumstance had till then arisen between Us which could possibly have bred the least symptom of Displeasure on either Side that I confess it made me yet uneasy for the future, and I the less expected, it, as I had made it a Rule and had never departed from it, to act both with the strictest Candor and with every friendly Attention to him in my dealings with him. He attempted once or twice to interrupt me while I was speaking, and, before I could proceed further, he desired me to hear him I was silent He said that Mahmud Ellich Cawn had not faithfully related to me all that he had enjoined him , that he had particularly enjoined him to assure me that one principal Motive for his insisting on the disputed point was to give me a Voucher (*dustavez*) which I might shew to the Company of the Steadiness with which I maintained their Interests At the Same Time he said it would afford me a stronger plea for adjusting this Difference That it was past He was well pleased to leave it to my Determination in Calcutta and hoped that nothing that had passed should disturb our Friendship, as my Behavior had in all Things been so satisfactory to him that he wished for nothing more earnestly than that the Relation of Brother which he was pleased to say had commenced between us should become every Day more and more binding , That for these Two days he had suffered so much Uneasiness that it had deprived him of his Rest and of his Food, as Ellich Cawn could witness ' Indeed,' says he, ' I have suffered severely in this short period, both in the Difference which has arisen between Us and in the death of one of my sons whom I left at Fyzabad.' I told him he had shut my mouth by this last Circumstance from uttering a Word more on what had past, as I really shared in his Affliction and should have set aside every Consideration of my own feelings on other Subjects had I heard of it before , that I would say no more on the past than to assure him that I should remember it no more, that It was not my Custom to give Way to Resentments, although I could not prevent the Impression which any Disappointment in my Hopes must naturally occasion and although in prudence I was obliged to square my conduct to them Other Civilities passed not worth relating. I promised to send him by Mahmud Ellich Cawn the Draft of the Treaty which should be executed between Us, and We parted on the best Terms

Other Subjects having occurred in the Course of Conversation I shall relate them in this place as I recollect them

He asked what Reply he should make, if the Marattas should send to him, as

he expected, proposals for a Treaty of Alliance I advised him to answer them in friendly Terms but avoid coming to an Agreement till he should see what Turn the present Disturbances should take in which they are said to be engaged

He asked my Advice whether he should persuade the Rohellas to attack the Marattas in those places which they have lately conquered between the Rivers,¹ which would bring on a new War with them, and enable him to take his Advantage of both when they should have weakened each other by mutual Hostilities. I commended the project, but expressed my Apprehension of the Consequences which might prove equally pernicious to him whether the Marattas returned on such provocation or not, by drawing their Hostilities upon himself in the first Instance, as there is no doubt they would come, if at all, with a Force capable to defeat the Rohellas, or by strengthening the Hands of the Rohellas if they should succeed in their Attempts and the Marattas not return. He admitted the Conclusion and said he would not think of it. 'But' added he 'suppose the Rohellas should attempt any Thing against the Marattas, shall I in that case attack them and engage a Body of Maratta Horse to ravage their Country?' I replied, 'By no means!' The force which they could bring him would be so inconsiderable that they would do him no Service, and, if it consisted but of Ten Men, it would give them a plea to claim a share in the Conquests which he should make, in a Word, that any Union between him and the Marattas would be hurtful both to his Interests and to his Friendships

He asked if he should accept of a compromise for the 40 Lacks due from the Rohellas by Treaty. I advised him to take what he could but not give up a Rupee. Whatever Deficiency there should be in the payments would serve as a fair pretence for any future designs which he might form against them.

I reminded him of the Monthly Rate which we had fixed for the Charges of the Army when employed on his Assistance, which I hoped he would still agree to, as it was what would certainly be claimed whenever he required them. He said he would never dispute it, but desired it might not be made an Article in a Treaty. I forgot what I added. We left the subject undecided. The following is the Draft which I had formed for the Treaty in the Form first proposed²

In the Evening, I delivered the following Draft of the new Treaty to Mahmud Ellich Cawn for the Nabob's Revisal. The Article regarding Cheit Sing I thought it proper to omit and to require in its stead a Renewal of that given by the Vizier to Captain Harper

6th Sep^r Mahmud Ellich came to me in the Morning and informed me that the Nabob would propose some other Articles, and wished to postpone our Meeting till the Evening.

In the Evening I went to the Nabob. He presented me with an Amended Draft of the Treaty, of which I signified my Approval, the Alterations which it afterwards received being not of Consequence sufficient to make a Repetition of it in this place necessary.

I gave the Nabob a Transcript of the Cowlnama³ or Engagement which he formerly gave to Raja Cheit Sing on the Application of Captain Harper, desiring

¹ In the Doab between the Ganges and Jumna.

² Not included in the diary.

³ *Kaulnama* an agreement in writing

him to ratify this in Exchange for the other, for greater Authority and for the Rajah's Satisfaction. He assented. It was agreed that he should call at my Quarters in the Morning, and that [*sic*] sign and seal the Treaty with me. On my Return home I employed the Remainder of the Evening in revising and preparing the Treaty.

7th Sep^r The Vizier arrived early at my Quarters. The General, Mess^{rs} Lawrell, Lambert, and Vansittart also joined us by my Appointment. One copy of the Treaty being written fair, it was signed and sealed, but, it being late, the Nabob took his Leave, promising to ratify the Counterpart at home, if I would send it him when finished together with the Cowlnama in Favor of Raja Cheit Sing. The following is a Copy of the Treaty both as it stands in the English and the Persian Language.¹

8th Sep^t By Mr Vansittart who was present

Raja Cheyt Sing came to visit me this morning attended with his principal servants Aussan Sing² and Beyaram. I delivered to him an Agreement which the Vizier had executed in my presence engaging to continue him and his children in the Zemindarry at a fixed rent, and a letter in confirmation of it which he had requested from myself. The following are copies of them.³

He afterwards requested of me,

1st That no English Gentlemen or their dependents might seize Cooleys by force or exercise authority in his districts.

2nd That the residence of English Gentlemen might be restricted to Benaris, as their living at a distance from him in other parts of his country would be the means of altercations with his Aumils⁴ which he would not be able to prevent.

3rd That I should fix what English Gentlemen he should go to visit

4th That he might not be obliged to visit the Vizier without some English Gentleman being with him

In answer to these applications I told him

1st That he was the master in his own country, that, if any persons assuming the English name should exercise authority or interfere with the disputes of the inhabitants, it was his business to restrain them by such means as he judged proper; and that he should resist them by force in every act of violence

2nd That his request should be complied with, and that Mr Fowke, Mr Motte,⁵ and Mr Scott (whose quiet behaviour he had himself commended) were the only English Gentlemen who should be allowed to reside even at Benaris, that all others should quit his country by the 31st of December next

3rd That he should visit only the Commander of the Army, a Member of the Council, or a Colonel of a Brigade.

4th That, if he can with security visit the Vizier, it is certainly proper he

¹ Not included in the diary

² For Hastings' relations with Ausan Singh see my *Warren Hastings and Oudh*, pp. 134,

140-1

³ Not included in the diary

⁴ *Aumils* revenue inspectors, collectors, or agents

⁵ Motte was a diamond merchant. Hastings wrote to Chait Singh on 19 June 1772 hoping that his friends Thomas Motte and Joseph Fowke would be granted concessions in the matter of trade (*Calendar of Persian Correspondence*, iv 42)

should shew him that mark of respect, and that, considering the protection of the English is engaged to him, it is not likely the Vizier would attempt to injure him, that, however, if he should not think himself secure he must endeavour to make excuses in the manner his Father used to do

I then proposed that Broad Cloth, Copper, and Lead sold at the Company's sale should pass duty-free to Myrzapoor. To this he readily agreed and the following is a form of a letter which I told him should be given with those goods in order to distinguish them¹. Of this I gave him a Copy and received one from him signed respectively. I acquainted him that on all other goods he should collect the same duties from English Gentlemen and Gomastas² as from the Merchants of the Country, and I desired he would on no account make any distinctions as they are prejudicial to the fair Trade

I next mentioned to him that, as he has a number of Horse in his pay, it might sometimes be useful to the Company if he would have 1000 in such condition as to be taken occasionally into their service, and that an allowance should be made for their charges during the time they were in their employ. He replied that his sole dependence was on the Company, that he should always be happy to be anyway useful to them, and that 1000 Horse should be ready for their service whenever they might be called for, even without putting the Company to any expence for them.

I inquired of him concerning the Ophium produced in his country, whether it would not be more for his welfare to lay it open freely to all purchasers than to farm it out to a single person as I understood he had done for some years. He said he wished rather to continue it on the present footing as he apprehended that a number of purchasers would occasion disputes with his Aumils and oppressions on his Ryots and prove a detriment to his revenue. One Saab Cawn, a Cheela³ of Loll Cawn, an intimate of Bulwund Sing's, having, as I was informed, been lately removed from his employ in consequence of the enmity of Aussan Sing, I so far mentioned him to the Raja as to desire he would take care that no injury should be done him in his person or property. The Raja talked of his own violences having been the cause of his removal and said there were other two Cheelas of Loll's Cawn's to whom Saab Cawn would not give their portions of Loll Cawn's effects. I observed that such disputes had better be settled by arbitrators chosen by the parties. This he said would be done if they could not adjust the matter amicably among themselves.

(Continuation of the Narrative by myself.)

In the Evening the Raja came to me after having received a Turband from the Nabob as the most sacred pledge of protection. I delivered to Mahmud Ellich Cawn a List of private Debts owing by the Nabob, desiring his order for payment of them. He desired me to make out an Account of the remaining Expences of the Brigade, and that I would accept an Assignment on the Farrukhabad Tuncaw for the payment of it, to which I agreed

9th Sep^r Went with Mess^{rs} Lambert and Lawrell to the Nabob. Introduced the Rajah and recommended him to his protection and Countenance. The Nabob

¹ Not included in the diary. ² *Gumashtas* agents or representatives of merchants

³ *Chela*: servant, slave, pupil, disciple.

delivered me a List of his Debts which he desired me to discharge from the Tuncaw of Murshedabad. He desired me to send a Muttaseddy¹ to Illahabad who should adjust Colonel Upton's Accounts, and he would pay whatever should be due upon them. He also desired me to give an order that his officers might be put in possession of the Town of Chunar, and to allow a Sentry for the protection of the Gault. This I promised to settle to his Satisfaction on my Arrival there and desired him to send a person with me for that purpose.

I mentioned Mr Gentil² to him, telling him I had avoided speaking upon the subject while any matters depended between Us, that I did not consider Gentil as an Object worth his or my Consideration, but as the Company had ordered me to solicit his Removal and his Continuance with him would occasion matter of jealousy, I therefore proposed as my Advice, not as a Requisition, that he would part with Gentil, not immediately as it would look like the Effect of Influence, but at any other Time. He replied that he would instantly dismiss him that it might appear to be the Effect of Influence, as he should otherwise subject himself to the Reproach of treating a man with Unkindness for whom he had long professed a Regard.

I informed him that Mr Lambert would accompany him to Fyzabad for the purpose of receiving the ready money payment in the room of Mr Lawrell. He promised to call at my Quarters in the Evening to take his Leave intending to depart early the next Morning.

On my return home, judging it but right to give him in writing the Substance of such Points as remained for his Determination and were not of great Importance, I wrote to him a letter accordingly enclosing an Account of the Charges of the 1st Brigade finally closed to the 15th of Oct^r. He returned a short Letter acknowledging the Receipt of the above and promising to reply to it in Person. I also sent him a Letter, according to his Desire and my promise, releasing him from the Restriction which he lay under by Treaty with Respect to the Number of his Forces.

In the Evening he came. It was with much Difficulty that I could make him understand the Account of the extra Charges of the 1st Brigade, the former Account having been drawn out in Current Rupees of which he had not a clear Comprehension. It was at Length agreed that the Balance, being Sunwat³ Rupees 4,52,834 . 13 .. 3, should be paid in the following Manner viz^t 3,23,000 Rupees by the Assignment already granted on the King's Tuncaw, 1,29,834 . 13 .. 3 Rupees in ready Money to be delivered with the Twenty Lacks of the Treaty Money to Mr Lambert at Fyzabad. He affixed his Seal before me to the List of payments assigned on the King's Tuncaw. He delivered to me the Drafts of 2 Letters, one of which he proposed to write to me, and the other for a Reply to it, upon the Subject of the Augmentation of his Forces, the Letter which I had sent him in the Morning upon

¹ *Mutasaddi* writer, accountant, clerk

² A French officer in the service of Shuja-ud-daulah. He wrote in defence of Hastings at the time of the impeachment, and was the author of *Mémoires sur L'Indoustan, ou Empire Mogol* (Paris, 1822)

³ *Sicca* was the term applied to rupees during the first year of their circulation. After this they were charged with a *batta* (discount) varying from 2 to 3½ per cent according to their dates and were known as *sanawats*

the same Subject being not sufficiently expressive of his Meaning I agreed without Hesitation and They were accordingly written, sealed, and reciprocally delivered.

I believe I have not before mentioned the Application which I had made to him for the Grant of the Pergana of Gopamow¹ to the Nabob of Arcot, who had solicited me earnestly to obtain it for him on Account of its being the place of his Nativity and the ancient Residence of his Family. The Vizier expressed much reluctance to comply alledging the rebellious Conduct of Sedder al Islam Cawn to whom he had once before granted it, and who had the presumption to attack and even killed some of his Officers who were sent to him on some Occasion by the Vizier. At length he promised that he would write a Letter and send it by me to the Nabob of Arcot representing the Behavior of his Family and offering to give the possession to any person whom the Nabob should name on the Condition that his agent should acknowledge due submission to the Authority of the Vizier's Government and demean himself peaceably in his Charge.

The Vizier repeated his Apprehensions of the Abdallees whose Designs upon these parts (he said) received daily Confirmation. If they should come to Delhi, he declared that he could not trust his Family to remain in any part of his Dominions, and asked if I could give them protection and assure him of their Safety in the Territories of the Company. I answered readily that, although I could not instantly name a place for their Residence, I would venture to promise that I would assign them one where they might continue secure from the Attempts of any Enemy; that I could not provide them with Habitations, but that they should have Space sufficient for any Number that might require it. He said his own Family would amount to 3000, but that their Departure would so alarm the rest of his Country that every person in it of Consequence would follow his Example, and that I might expect at least a Lack of Guests whenever such an Occasion should happen. I repeated my Wish to receive them, and with less Warmth than I might have expressed with Sincerity, as an Event of this Kind, though doubtless it would be attended with Inconveniences, would draw a considerable Influx of Money to our Provinces; would add great Credit to the Security and Strength of our Government, and, by impressing the Minds of his people, but especially of the Women, whose Influence is very powerful exciting imaginary Terrors, the Strongest Conviction of the Insecurity of the Vizier's Dominions, confirm his Dependency on the Company almost beyond the possibility of retrieving it.

He asked me if it would be agreeable to me to receive him in Bengal, in case he should at any Time have Occasion or Leisure to make such a Visit. In answer I expressed the great pleasure which I should receive from it. The rest of our Conversation was, though long, not very important, consisting on his part in a Repetition of past Grievances and a Satisfaction in my Treatment of him; and on both sides in Compliments and Assurances of mutual Good will. At Nine he took his Leave and departed.²

10th Sep^r I dismissed the Raja with the usual Forms and visited the Nabob Moneer o'Dowla of whom I took leave.

¹ Gopamau, in the *tahsil* of Hardoi, United Provinces.

² The copy in Add. MSS. 29,234 ends here.

After Dinner I departed from Benaris and proceeded in my Palekeen to my Boats which were waiting for me on the Way to Chunar.

11th Sep^r I did not reach Chunar till 5 in the Evening Mr Vansittart and a small part of our company were of the party. I was surprised to find the King's Khowass¹ arrived here before me. He was earnest for an Audience and I app^d the next Morning to talk with him.

12th Sep^r Went at Day break to the Fort and viewed every part of it. The Repair of the Breaches made by Captain Marsack were well executed. The Quarters built by him for the Officers and Soldiers already in a decayed Condition being seemingly constructed on an ill judged plan and of bad materials. The Officers' Quarters mean to a scandalous degree. The Barracks built by Mr Pemble were upon the same plan and not, to Appearance, more durable. The Walls and Defences of the Fort were in good condition. The Steepness and Height of the Hill and its projection into the River secure it effectually from the Attempts of any common Enemy and give it the entire Command of the River.

Having obtained from the Canungo² a State of the Customs and of the Value of the Lands claimed as the Appendage of the Fort, and compared it with the Information of the Nabob's people who had accompanied me for the purpose of concluding an Adjustment of these Articles, I formed it on the following plan.

1. That all the Ground included between the Nulla Jergoo³ from its Conflux with the River to the Bridge, and from the Bridge to the River West ward within a Line of 1600 yards distance from the Fort should belong to the Fort and all the Rent remain the property of the Nabob or the Rajah.

2. That the Gauts should be given in Farm to the Rajah for the yearly Rent of 5000 Rupees, being more than the Medium of the Collections for some years past, the Intent of this Disposition being to prevent our plan of customs from being infringed by the Nabob's Collectors.

3 That the Customs of Bahramg . .⁴ on Stone and Wood should be given up, the present Farmer to continue during the Term of his Lease, and to pay One Moiety of the Rents to the Raja, the other to the Nabob, to whom I assigned the Share originally received by the Kelladar⁵ of Chunar.

The 1st of these arrangements was immediately carried into Execution and the Nabob's people put in possession. The other Two were left for Conclusion with the Nabob, to whom I wrote the following Letter upon the subject⁶.

I sent for the Khowass and told him in plain Terms that Cora and Illahabad had been ceded to the Vizier, that the Tribute of Bengal could no longer be paid until that Country had recovered from its Distresses, but that I would certainly assist the King and join with the Vizier to retrieve his affairs whenever an Opportunity should offer. I imputed what had passed to the Grant made by the King of the District of Cora to the Marattas, his Inability to maintain it, and his neglect in not sending some person to treat with me for the Disposal of it on such Terms and on such a plan as could enable him to maintain it. I forbade the Khowass to

¹ *Khawas* confidential representative

² *Kanungo* keeper of revenue records

³ River Jurgo

⁴ The last part of the word is illegible, Bahramgang?

⁵ *Kelladar*: commandant of a fort.

⁶ Not included in the diary

proceed further with me than Benaris where I promised him an Answer to the King's Letter.

I wrote the following Letter in Duplicate to the Secret Committee of the Court of Directors, enclosed in Two Letters to the President and Council of Bombay, which I put into the Hands of Mr Motte to be sent by separate . . .¹

Here I received the news of the Death of Raja Shitabroy,² a valuable and faithful Servant of the Company

In the Afternoon I returned to my Boats and sailed back that Evening to Benaris.

13th Sep^r Wrote the following Letters to the Vizier³ Wrote the following Letter to the King and sent it to the Khowass at Benaris³

The Rajah having expressed a desire to be furnished with an Authority from me for the new Rates of Customs which had been concluded on between Us, I subscribed the following Approval to a price List of the Rates which I sent to him.

'I approve of Rajah Chet Sing's collecting Duties according to the above Rates from European and native Merchants without Distinction'

(signed) W HASTINGS.

At the same Time I sent him a paper which was to be ratified by the Rajah on the Receipt of the above The following Copy of the letter will serve to shew the nature of both.³

18th Sep^r I arrived at Patna. I pass over the miscellaneous Arrangements which I made during my short Stay at this place, as the principal of these will hereafter appear in my Letters to the Council of Fort William, and as they are not of such Importance as to merit a Repetition. On the 24th I departed from Patna, and on the 29th arrived at Murshedabad. Here I remained Two Days, proceeded, and on the Morning of the 4th of Oct^r arrived at Calcutta after an Absence of 3 Months and 9 Days.

The following Letters,⁴ addressed to the Board in the Two Departments with the Minute of the Council in Approbation of my Conduct, the General's Dissents, the Remarks of the Board, and my Reply to those Dissents, and the Resolution passed respecting Nidjif Cawn's Pension conclude the Subject of my Narrative

¹ This word is difficult to decipher It seems to be *Patmars* or runners The Letters are not included in the diary

² Raja Shitab Rai was appointed *naib* (deputy) of the *nawab* in Bihar at the same time as Muhammad Riza Khan was made *naib* for Bengal He was later put on trial for alleged embezzlement but was honourably acquitted.

³ Not included in the diary

⁴ Not included in the diary.

APPENDIX

TREATY WITH THE NAWAB VIZIER SHUJAH-UL-DOWLA

(7 SEPTEMBER 1773)

The Vizier of the Empire, Asuph Jah Shujah-ul-Mulck, the Nabob Shujah-ul-Dowla, Aboo-ul-Munsoor Cawn Behauder, Sifdar Jung, Sippah Salah, on the one part, and Warren Hastings, Esquire, President of the Council, Governor of Fort William, and Commander-in-Chief of the Forces of the English Company, in the Provinces of Bengal, Behar, and Orissa, for and in the name of the English Company, on the other part, do agree on the following Articles —

Article 1

Whereas, in the Treaty concluded at Allahabad, the 16th August 1765, between the Vizier and the Company, it is expressed that the districts of Corah and Allahabad were given to His Majesty for his expenses ; and whereas, His Majesty has abandoned the possession of the aforesaid districts, and even given a Sunnud for Corah and Currah to the Mahrattas, to the great prejudice of the interests both of the Vizier and of the English Company, and contrary to the meaning of the said Treaty, and hath thereby forfeited his right to the said districts, which have reverted to the Company from whom he received them ; it is therefore agreed, that the aforesaid districts shall be put into the possession of the Vizier on the following conditions, and that, in the same manner as the Province of Oudh and the other dominions of the Vizier are possessed by him, so shall he possess Corah and Currah, and Allahabad, for ever. He shall by no means, and under no pretence, be liable to any obstructions in the aforesaid countries from the Company and the English Chiefs : and exclusive of the money now stipulated, no mention or requisition shall by any means be made to him for anything else on this account. This Agreement shall be observed by all the English Chiefs, gentlemen of the Council, and by the Company, nor shall it ever be broken or deviated from.

Conditions, viz.—

He shall pay to the Company fifty lakhs (50,000,000) of Sicca Rupees according to the currency of the Province of Oudh, as follows, viz.—

In ready money	.	.	.	.	.	Sicca Rupees 20,00,000
In two years after the date hereof, viz.—						
The first year.	.	.	.	.	.	15,00,000
The second year	.	.	.	.	.	15,00,000 30,00,000
						Sicca Rupees 50,00,000

Article 2

To prevent any disputes arising concerning the payments which shall be made by the Vizier, for the expenses of the Company's troops that may march to his assistance

It is agreed, that the expense of a brigade shall be computed at two lakhs ten thousand (2,10,000) Sicca Rupees per month, according to the currency of the Province of Oudh By a brigade is meant as follows, viz —

2 Battalions of Europeans

6 Battalions of Sepoys

1 Company of Artillery

The expenses of the said troops shall be defrayed by the Vizier, from the time that they shall have passed the borders of his dominions till they return within the borders of the Province of Behar; and exclusive of the abovementioned sum, no more shall, on any account, be demanded from him. Should the Company and the English Chiefs have occasion to send for the troops of the Vizier, the Company and the English Chiefs shall also pay their expenses in the like manner

Signed, sealed, and solemnly sworn to by the contracting parties at Benares the 7th day of September in the year of Our Lord 1773 in the presence of us,

(Sd.) JOHN STEWART.

„ WILLIAM REDFEARN.

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SOME LETTERS
OF
THE DUKE OF WELLINGTON
TO HIS BROTHER
WILLIAM WELLESLEY-POLE

EDITED BY
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F.B.A., F.R.Hist S.

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INTRODUCTION

I owe the opportunity of publishing these letters between the Duke of Wellington and his brother William Wellesley-Pole to the kindness of Lord Raglan, in whose possession they are and who made the copies from which the text was printed. He inherited them from his great-grandmother, Emily Harriet, who married Lord FitzRoy James Henry Somerset, afterwards Lord Raglan, Wellington's aide-de-camp and Military Secretary, the Commander-in-Chief in the Crimean War. She was the daughter of Wellington's elder brother, William Wellesley-Pole, who became Lord Maryborough (1821) and was third Earl of Mornington after the death (1842) of his elder brother Richard, Marquess Wellesley. In 1807 he became Secretary of the Admiralty and in October 1809 succeeded Wellington as Chief Secretary for Ireland. He was left out of the Liverpool Ministry until the 28 September 1814 when he entered the Cabinet as Master of the Mint.

The letters were looked at by Sir Charles Oman and Sir John Fortescue but, so far as I can ascertain, they have not been published. Other letters written to Wellesley-Pole in these years appear in the published correspondence of the Duke, some in Gurwood's work and some in the *Supplementary Despatches* edited by the second Duke. I have left out some letters, including certain long letters from Dublin in 1808 on the approaching proceedings of the Court of Enquiry into the so-called Convention of Cintra, on which a vast amount of information has already been printed. There are also many of William's letters, dealing largely with home affairs, for which no space is available here.

Wellington was on more intimate terms with William than with either the eldest brother Richard, Marquess Wellesley or the youngest, Henry, who afterwards became Lord Cowley. It was William who chose his brother's title when he became a peer, and Wellington relied on him to look after his personal interests when he was abroad. His care for Wellington's reputation is shown by the letters, published in the *Supplementary Despatches*, which he wrote about the Court of Enquiry.

Wellington was a prolific correspondent, and a large number of his letters have been published. It could not be expected therefore that these letters would give any new evidence of fundamental importance on public affairs. The arguments used in them can for the most part be found in letters to Castlereagh, Liverpool and others. But Wellington's point of view is more candidly and bluntly expressed in them than elsewhere. There are several clear indications that Wellington wished William, who was a member of the Government, to be in full possession of his views, so as to be able to deal with the unceasing attacks on his conduct of the Peninsular War. Many of the Whigs indeed wanted to clear out of the Peninsula altogether and even make peace with Napoleon.

The letters concern some of the most critical situations with which Wellington had to deal. In 1807 he had not of course the main responsibility. But his admirable summing up of the political and strategic situation after the Danes had surrendered their fleet is a model of honesty and realism. The letters of 1808-10

deal with some of his most difficult problems, the situation after the battles of Roliça and Vimeiro when he was superseded by the senior generals sent out by the Horse Guards, the reasons for not continuing the pursuit of Soult's army and why the bloody battle of Talavera was fought, the difficult transition to defence after the victory, the refusal to join forces again with the Spaniards under the conditions then prevailing and the skilful delaying strategy in Portugal. The two short letters before and after Waterloo reveal once again his deep humanity, in which all feeling of triumph was submerged, and the repetition of his tribute to the British infantry soldier should be set against other judgments on his army which are more often remembered by historians. The tiff with Liverpool over some preferment for his brother, Gerald, helps to explain the Duke's lukewarm attitude towards the Tory Government during the period of occupation. He hardly exaggerates the importance of his assistance to Castlereagh in the negotiations at Paris in 1815.

The more intimate letters in family affairs throw light on the Duke's attitude towards his brothers. There is much other evidence of the conduct of his brilliant brother, the Marquess Wellesley, whose preoccupation with women caused a great deterioration in his public work at a time when all his talents were needed. As is well known Wellington himself was no prude, but he never allowed his personal relations to interfere with his public duty. Of Henry's conduct towards his wife, from whom he obtained a divorce, we know but little, and the interest here lies in Wellington's attitude towards a family problem. The Duke's limitations are shown in his utter inability to handle his nephew who was so much afraid of him. This young man became the notorious William Pole Tylney-Long-Wellesley, fourth Earl of Mornington, one of the great spendthrifts of the century, who ended his life as a pensioner on Wellington's bounty.

These letters reveal once more the stern integrity of the Duke, which some have—I think mistakenly—called insensibility. He always applied to others the same standard which he set for himself. Sir Charles Oman and to a lesser degree Sir John Fortescue have been concerned to defend from his criticisms the Tory Government which set him his task. I fully share their admiration of the courage and persistence of Castlereagh, Perceval and Liverpool during these years. But when we consider what was at stake in the Peninsula, are we convinced that the Government gave to the emergency the same zeal and effort which Wellington himself showed, or that they were prepared to risk all personal advantage to the same degree as he did?

Wellington's right to criticize and complain came from his own unceasing devotion to duty, the energy with which he successfully carried out the labours that others neglected, the skill with which he devised means to supply the deficiencies caused by the failure of the Government to provide for the needs of his army, the magnificent certainty of his strategic insight, the success of the tactics by which he won victories at such small cost to an army which could not be replaced. Sometimes no doubt he was unfair; though the tributes that he paid to Castlereagh show that he was not ungrateful to those whose loyalty matched his own. His words must not always be taken too literally. They were sometimes the only relief available from a burden of cares, petty as well as great, largely due to the weakness of others. But they are not merely 'a good grumble to William' as Sir John

Fortescue suggests. They are for the most part powerful presentations of a case which the writer wished to be adequately defended in London. They give us a better understanding of the problems with which Wellington had to deal and of the attitude towards them of the greatest British soldier since Marlborough.

In establishing the text, the spelling and use of capitals in the original has been preserved, but the punctuation has been somewhat modified. Nearly all the letters have at the bottom of the first page 'The Honble W W Pole', or from September 1810 'The Rt. Honble W W Pole', though the 'Rt' is sometimes omitted. Almost every sentence could of course be commented on. But the works of Sir Charles Oman and Sir John Fortescue are available for consultation, and most of the persons mentioned are well known. It has therefore been thought better to limit the notes as far as possible. The following abbreviations have been used in them.

Gurwood = The Despatches of Field-Marshal Duke of Wellington, K G. Edited by Lieut-Colonel Gurwood. 12 vols. London, 1837-8.

W S D = Supplementary Despatches, Correspondence and Memoranda of Field-Marshal Arthur Duke of Wellington, K G, edited by his son the Duke of Wellington, K G, London, 1858-72.

SOME LETTERS OF THE DUKE OF WELLINGTON TO HIS BROTHER WILLIAM WELLESLEY-POLE

I

Bræsenborg in Zealand.
September 15th, 1807.

My dear William,

I received last night your letter of the 5th , & I only regret that the King's Ministers had not before come to the determination to which you refer in that if they had in contemplation a conquest of this Island, they did not at an earlier period state their sentiments in an explicit manner The capitulation of Copenhagen which was concluded on the 7th is an eternal bar to the schemes connected with the possession of this Island, unless one of the parties should break it The Danes are too well aware of the advantages they have gained by it, & of the means on the other hand which it has placed in our power totally to destroy them, to think of departing from it , & I don't know what would be thought of us if after all that has passed, we should break an agreement into which we entered only a week ago.

I think that in England you have overated the value of the possession of Zealand, & under rated the difficulty of retaining the possession , upon both of which points I shall write a few lines presently , but in addition of what I before said of the expediency of making this cursed capitulation, I have to say that every day's experience has shewn me that no military necessity existed to induce the Danes to capitulate at all, & that there was every reason why we should give them any terms, by which we could gain the object for which in the first Instance we came to Zealand.

The terms of the Capitulation have besides our object (the fleet) placed in our power by way of Military Security, the means of destroying the Danes entirely, & of taking possession of Zealand , & I will now see whether it is advisable on any grounds that we should break the capitulation, & apply those means to those purposes As the measure respects our faith we have no grounds of justification. You say that the King of Denmark has declared War, & that he ought to do as we please We entered upon this expedition, solely because we had grounds to apprehend that he would be obliged to declare War, & we have made this capitulation in pursuance of our own objects, under that apprehension. Did any Man ever suppose that the Danes would be prevented, or could do otherwise than declare War, when we invaded their Country, laid siege to their Capital, & carried away their fleet ? The probable length & circumstances of the War, their means of annoying us are a different consideration , but is it any justification for a breach of a solemn engagement that that event has occurred which all the parties to the engagement must have had in contemplation at the time they entered into it ? I contend therefore that you have no justification ; & you must ground the breach of the Capitulation, by which by the bye you have acquired the means of obtaining possession of Zealand, on the necessity of the case.

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Let us now see how that part of the question stands. We must first agree upon some facts. One of these is that Sweden is firmly with us, & will go through with us on this plan in despite of Russia, & all the other motives which might induce that power to be jealous of our Danish arrangements, a fact which I believe I might contend against. Another is the amount of the force Naval & Military which we must have in Zealand, the latter at all times, the former when any force can remain in these Seas. The Naval force ought to be in large Ships equal to that which the Russians can bring against us; & in Small equal to the compleat blockade of the Island. We must then have 30,000 Men on Zealand, of which number 10,000 ought to be the Garrison of Copenhagen, & the remainder including 6 or 7000 Cavalry in the Country, & we ought to occupy the Southern Islands. Another fact is the state of these Seas in respect to Ice. Sometimes as last year there is little or no frost, & no appearance of Ice, in the Belt or the Sound. Sometimes there is floating Ice in the Belt & Sound, & in these Seasons it frequently happens that there are periods in which vessels might cross either. Sometimes the Belt & the Sound are partially frozen over. That is to say that the Ice in them is fixed, but there are large spaces not frozen, & then the mode of passage is by ice Boats, which are launched across the pieces of Ice. Sometimes Both the belt & the Sound are frozen over; & any body can pass either.

There is scarcely ever a Winter during which the Water in the Ditches of Copenhagen is not frozen.

Another fact to which any Man will agree who looks at the Map, is that in order to invade Sweden, with a French, a Danish, or a Russian Army, it is not necessary to pass through Zealand.

With these facts before us we shall be able to appretiate the necessity or even the expediency of retaining Zealand. The objects are to protect our Commerce in the Baltick; to shut up the Baltick against other powers; to protect the Swedes; to save our own Naval force; to keep in check the Russian Navy

The way in which I shall consider these different points is by first considering the chance we have of retaining possession of the Island. With the number of Men I have stated we can keep the Island, as long as the Fleet I have mentioned can remain in these Seas. When the fleet goes it is very obvious that 30,000 Men cannot hold the Island against three or four times that number which may be brought against them, even though in such a case we might look to Sweden for some assistance

I have stated the navigation of these Seas to be in four different states, in different Seasons. In three of the 4 our fleet cannot remain in these Seas. In two of the three, an Army might invade Zealand with ease, & the state of the Navigation enumerated in the second Instance is by far the most common in these Seas, & would afford the greatest facility to the Invading Enemy. Then it may be said you have the Fortress of Copenhagen to retire to, in which you might stand till you could be relieved. I don't know where the relief is to come from, if you suppose a French Army of 60 or 70000 Men established in Zealand; but I have another fact to oppose to this plan it is that Copenhagen has absolutely no strength excepting the Wet ditches, take these away or freeze them up, which happens to them every Winter, & the Soldiers ought to be disarmed who did not march in Line

over the works. Besides when we talk of putting 40,000 Men into Copenhagen with their stores & provisions, & that we contemplate the possibility of their being attacked by a very superior force, we must not forget the mode in which we have ourselves taken the place, & that our possession of it, will not give it the necessary securities against a Bombardment. But this discussion is fighting with a shadow; every body knows that we cannot keep Zealand for a day unless we have a superior fleet in these Seas, & it is certainly most probable that we shall not be able to keep a superior or any fleet at Sea here when the frost will set in.

I will now suppose that we could keep a fleet in these Seas, & an Army in Zealand, & let us see how far our objects as before stated would be answered by retaining this possession, better than if we give it up according to the terms of our capitulation.

I have stated the extent of the Naval force which must be kept here at all events, & I believe that there is no Man who doubts that if Sweden should be firm with us, & continue in existence, & if there should be any body in the Baltick who will trade with us, or if there should be any trade in this part of the world at all, we should protect it effectually with that force, & should have it in our power to exclude from these Seas, those to whom we should not chuse to give admission. The Russian Navy also will be compleatly in check & in our power. Nay I might contend that these objects would be more easily accomplished, by our abandoning than by our retaining possession of Zealand. If we retain possession of Zealand the Naval force must be locked up, & it's operations confined to the protection of the Island from Invasion. If we abandon Zealand, their sphere will be enlarged, & the effect produced by a fleet of such a size as I have supposed to be necessary in such a space as the Baltick must be immense.

I don't see that your Navy will be much saved in either case. You must keep up a large force; & it would not be reduced by a Ship or a Man by the necessity of protecting Zealand from Invasion by a fleet.

Another object which I consider of great importance is the protection to be given to the Swedes. In the discussion of this question we must not look at Zealand as the only point from which danger can approach the King of Sweden's dominions, if he enters into our Danish arrangements which I have supposed he will do, he must expect to be attacked by the Russians, & the Danes as well as the French. The operations against him by the two former need not be connected with maritime arrangements; & even supposing that the French should push forward in these operations, to which it is more than probable that both Russians & Danes would object, their route would not lay through Zealand. They must make for the Capital, & ought to endeavour to avoid the Barren Countries opposite this Island, & they would lose time by a double embarkation & disembarkation by taking this route. But this attack of the Swedes by the French, & this use to be made of Zealand in this attack in the event of our abandoning the Island supposes the possession of a superior Naval force, by means of which the French could force their way into Zealand. I think I have already shewn, indeed every body must admit, that, if they should have a superior naval force, or in the absence of our Naval force, we cannot retain the Island; therefore in that view of the case it is nearly the same thing whether we retain it or not. I admit that if the French should make Zealand their route into Sweden, they will have some little additional facility in landing

SOME LETTERS OF

in Zealand, by that Island being in possession of the Danes. But still the question will depend upon the Naval means in the Baltick, & if the French have those Naval Means they would not use Zealand in an invasion of Sweden, & if we had our Troops in Zealand they would find no difficulty in obtaining possession of that Island if they should wish it.

Then comes another view of this question. If Sweden is to be defended against this formidable confederacy can it be done best by placing our 30,000 Men in Sweden, & our fleet with a view to the defence of the coasts of Sweden, or by keeping the former in Zealand, & the latter in the Belt to protect them. Surely upon this point there can be no doubt. Upon the whole then I am clearly of opinion that whether we view the question in reference to our faith, to our means, or to our objects, we ought to adhere to the capitulation, & abandon the Island of Zealand.

In respect to your desire that I should advise Lord Cathcart & Admiral Gambier to break it, you are mistaken if you suppose that either ever consults my opinion, excepting on points in which I am to act. In point of fact I have been out with my Corps since the 25th of August, & have had no communication with either, since that day excepting when I was sent for to arrange the Capitulation. Although I think I did what was best upon that occasion, I shall ever regret that I had any concern in it. Our friends in England will certainly be disappointed, whatever may be the ultimate result, & I am in some degree the cause of their disappointment. They will never as they ought attribute it to the want of Instructions here, & to our ignorance of their views. Of the ignorance I will give you a curious Instance. Mr Jackson & Mr Taylor were called into the room when Lord Cathcart & Gambier were giving me my Instructions which were only verbal. The only opinion they gave was 'that our object was in our power, & we had only to take possession of it'; & both of them, Jackson in particular, refused to give any opinion upon other points: & both withdrew.

I shall only add that if Lord Cathcart or the Admiral should ask my sentiments on the Instructions they may have received from England, I will recommend to them. & will do every thing in my power to enable them to keep possession of the Island. I have however asked for leave to go home which I expect to obtain this day; & if Lord Cathcart should not express a wish that I should stay I shall conclude that he means to act upon the Capitulation, & shall go forthwith.

Give my best love to Mrs. Pole &c & Believe me Ever Yours most affectionately
A. W.

2

Head Quarters at Vimieiro.¹

August 19th, 1808.

My dear William,

You will see the account of our Action on the 17th. of which you will form your own judgement. Three mistakes prevented it from producing the entire destruction of La Borde's² Corps. The first that General Ferguson was ordered to descend the heights instead of continuing his march to turn the Enemy's left in

¹ The correct spelling is Vimieiro

² Also spelt Laborde and Delaborde

the Mountains This was not committed by me. The second was that Lake went up the wrong pass, he ought to have gone up that on his right; he hurried his Men, did not clear the pass of the Enemy by his Light Infantry before he entered with his column; & he hurried his attack before the 5th regt. or any of the other troops ascended the other passes to support him.

This I did all I could to prevent; & if I had succeeded we should still have taken or destroyed the whole of La Borde's Corps The third was a misfortune rather than a fault We could not find the road by which to bring up our Artillery & a body of regularly formed Infantry. If we had had them early La Borde could not have retreated & in fact he ceased his attacks as soon as he saw our Guns & fresh Infantry advance But it was then too late to do any thing, the day was worn out, & he had got a start of three miles which I should never have recovered As it is the French have lost 1500 Men; & I understand that they say they never were so attacked before, & I never saw troops behave so well as they did.

We shall have another brush with them in a day or two; & if we should be successful we shall get hold of Lisbon

I don't know what Govt. propose to do with me I shall be the Junior of all the Lt. Generals; & of all the awkward situations in the world that which is most so is, to serve in a subordinate capacity in an Army which one has commanded. However I will do whatever they please I think they had better order me home.

I think Lord Chatham will repent that he did not allow me to have Artillery Horses Those we have are very fair, & very good of their kind But marching as we do every day we ought to have the best horses the Army could afford, instead of the worst, & likewise a regt of Mounted Cavalry.

As for Lord Wellesley as I am convinced that his fornication has kept him out of Office. In spite of his Idleness he would have been in Office before now, if he had not taken to *Whoring*

William is very well. Give my best love to Mrs Pole & the girls &

Believe me ever Yours most affectionately

Arthur Wellesley.

I beg that you will not communicate to any body the remarks which I have made upon the action of the 17th because as all did their duty I do not wish to hint that there was blame any where

3

Camp at Vimieiro.

August 22nd, 1808.

My dear William,

We gave the French an unmerciful beating yesterday. Sir Harry Burrard arrived on the evening of the 20th, & I did every thing in my power to induce him to march on; which he resisted till he should be reinforced by Moore, a decision with which I was not pleased any more than I was with the manner in which it was made Sir Harry did not come on shore that night; & as I am the 'Child of Fortune' & Sir Harry did not chuse to march towards the Enemy, the Enemy came

to us with his whole force & attacked us in our position , & we gained a most complete Victory , Sir Harry not being in the field till one of the attacks was completely beaten off, & the other begun & all the dispositions made for defeating it The French have lost not less than 3000 Men I should think.

The Army are delighted that they gained this second Victory under the Command of their Old General

I have desired Campbell who is going home to tell you that I am by no means satisfied with the way in which I see things will go on here , & I should be glad to be called home to my Office, or any thing else in which I could be useful

Sir Hew Dalrymple arrived this morning , but I have not seen him.

I still command the Army , as all the Heads of Department won't go to anybody else for orders.

Ever Yours most affectionately
Arthur Wellesley

Give my best love to Mrs Pole & the Girls

4

Camp at Ramalhal.
August 24th, 1808.

My dear William,

I have received your letter transmitted by Charles Stewart,¹ & you will have learnt by my letters to you, my messages by Campbell,² & my dispatches ³ to Lord Castlereagh the state of affairs. Matters have gone worse since Campbell went away. Sir Hew has agreed to a suspension of hostilities which he made me sign. I inclose you a copy of a letter ⁴ which I have written to Lord Castlereagh upon this subject ; & I authorize you to say that although I approve of allowing the French to withdraw from Portugal, because Sir Harry Burrard & Sir Hew Dalrymple would not, or could not carry into execution the plan of operations for Sir John Moore's corps which I had proposed to Sir Harry, according to which it would have been placed at Santarem & would have cut off the retreat of the French to Elvas , & therefore the convention is necessary in order to set the British troops at liberty to go into Spain at an early period of the year , I entirely disapprove of the indefinite term given to the suspension of Hostilities. But although I think it may be right to give to the Russians the advantage of the neutrality of the Port of Lisbon, I entirely disapprove of the Insertion of any thing in the convention for the suspension of hostilities or in that for the evacuation of Portugal which has any thing to do with the Russians I also think that some measures must be adopted to force the French Generals to disgorge some of the Church Plate which they have stolen.

I wish that I was away from this Army. Things will not flourish as we are situated, & organized , & I am much afraid that my friends in England will consider me responsible for many things over which I have no power. There is no more

¹ Castlereagh's half-brother

² Wellington's aide de camp, later Major-General Sir Cohn Campbell

³ See *Gurwood*, iv 81-103

⁴ Dated 23 August, 1808 (*W S.D.* , vi 122)

confidence in me on the part of the Chiefs than if I had been unsuccessful, & I am the only person in whom the Army have any. The Chiefs ask my opinion about every thing, & never act according to it; & Sir Burrard by his Interference after the Battle of the 21st prevented me from marching in pursuit of the Enemy, by which he saved them from total destruction. He came determined to think that I had not a sufficient force; & notwithstanding my remonstrances against delay he wrote for Moore's Corps to come down & be disembarked at Maceira, & *at all events to come himself with any part of it he should be enabled to bring*, which letter he had the folly & the impudence to shew to me. Then Sir Hew landed on the day after the Battle of the 21st, & I did every thing in my power to prevail upon him to march, in which I failed entirely, & was going away, when one of his Staff who had been in Portugal only two days took him aside, & settled in a few words that we should march. Is this the confidence in the opinion of a Man who has conducted the service successfully to the present moment, which is to make him responsible to his friends in the Govt for the events which will occur here? I knew what would be the consequence of the new measures in England, when I heard of them, & when Moore comes & new fuel will be added to the Flame, matters will be much worse. At the same time it is quite ridiculous, but there is not one of them capable of commanding the Army, & at this moment it rests with me, the Departments look to me alone, & I give what orders I please not only referring to matters of discipline, but to those of general regulation, & the people of the Country will communicate with nobody else.

August 26th.

Since I wrote the Above the Admiral¹ has relieved us from the difficulty in which [we] were involved by the Article in the agreement respecting the Russians, by refusing to agree to it. I prevailed upon the General therefore to send Murray to Junot yesterday to inform him, that that stipulation could not be agreed to, & that as Kellerman had urged it in the manner of a *sine quâ non*, the agreement for suspending hostilities must be put an end to at the end of 48 hours from this day at twelve o'clock. If Junot should express a desire to negotiate the convention for the evacuation on the basis of the remaining Articles of the agreement Murray is authorized to settle it, according to the terms of a Memm. inclosed in my letter to Lord Castlereagh of which you have a copy inclosed.

In the mean time we are going to Hell by another Road. The French are fortifying trenches at Cabeça de Montechique, & we shall have to conquer them again; & it is said this morning that the Russians have joined them. The General has no plan, or even an idea of a plan, nor do I believe he knows the meaning of the Word *Plan*. I entered fully into a discussion upon the situation of the Army the day before yesterday; in which I pointed out the inutility of augmenting his Army here, & the danger of the measure if he should not (and he could not) augment his means of supply, & I gave him papers to read upon the subject of his future operations. He has not uttered one word to me upon that subject from that time to this, & Moore told me last night that he had said to him, 'you may either land your Corps or not as you think proper'; as if it was a matter of perfect Indifference

¹ Admiral Sir Charles Cotton, Bart

whether this Army should have 10,000 Men in addition, or whether 15000 additional Mouths should be fed by means calculated for half the number These People are really more stupid & incapable than any I have yet met with, & if things go on in this disgraceful manner I must quit them

August 27th, 1808

I have reason to believe that the negotiation for the convention is going on well, at the same time an arrangement is made for a March upon Lisbon tomorrow morning if it should not answer I shall therefore close this letter Ever Yours most affectionately A W

5

Zambujar
Sept 6th, 1808.

My dear William,

I am sick of the state of publick affairs here, upon which I shall say nothing excepting to tell you that I don't know what they are about at Head Quarters; I have not seen their convention; & I have no communication with them I write to you now principally about William.¹

He appears pretty well in health, but he is the most extraordinary person altogether I have ever seen There is a mixture of steadiness & extreme Levity, of sense & folly in his composition such as I have never met with in any other Instance. Mrs. Pole whose partiality for him has not blinded her to his Defects knows him well; & I really think with her that it is a misfortune that Arbuthnot's desire to serve him should have induced him to put him so forward.

I have been obliged to speak to him pretty sharply once or twice principally relating to his want of care of himself when he was sick; & now he is as much afraid of me as he is of you, & even more so as my authority in my present situation is greater over him, & the nature of our relative situations, & the constant crowd with which I am surrounded prevents all Intercourse between us. I see clearly that he is heartily tired of his new line of Life; that he is dying to return to England, & that he will make use of any pretext to get away

I propose to endeavour to get the better of his fears, & to prevail upon him to learn something. He is lamentably ignorant & idle, & yet upon some occasions he does not want for Sense & sharpness, while upon others he betrays the ignorance almost of what is called in Ireland a *Natural*.

When I am not present, & sometimes when I am he talks incessantly & I hear of his topicks from the others which sometimes don't appear to be judiciously chosen

I don't know what to recommend to you to do with him If I can't get the better of his apprehensions of me, it would be much better for him to leave me, & go to some other General Officer, or join his regt. Nothing can be more prejudicial to him than to live with a person of whom he is in constant apprehension. I have

¹ William, eldest son of Wellesley Pole As a result of this letter he was transferred to the care of the Marquess Wellesley who wrote: 'William Pole is very diligent, and is going on very well' (Capt. Joceline Bagot, *George Canning and his Friends*, 1 338)

an opportunity of talking to him seriously of his situation, for he is gone off to Head Quarters without Leave, which I must notice.

Another circumstance which would improve his situation would be to give him a certain allowance. He has now no Money, & he is obliged to apply to me when he wants any which he does not directly, but through my Secretary. You ought to fix for him a regular stated allowance, which should not be exceeded on any account. I don't know exactly what he has had from me, but Campbell can tell you. In short I don't know what to say about him. To educate him would be the desideratum. If that can't be done, & I am obliged to give up my situation here, you should take him home to your House in London, let him see good Company, & the Sense he has will probably teach him that he will never be upon a par with the rest of society till he shall have educated himself.

Give my best love to Mrs. Pole & the Girls & Believe me Ever Yours most affectionately Arthur Wellesley.

6

Lumiar.

September 16th, 1808.

My dear William,

I am much obliged to you for your letter of the 4th. which I received last night. In respect to rewards I have never allowed myself to think about them; much less to write to any body or to make any application. I consider them valuable only as they are granted spontaneously, & from a conviction in the minds of those who have the power of granting them, & from the sense of the publick that they are deserved. In any other case they are favours which I feel no inclination to solicit. Under the circumstances I regret that Wellesley's affection & zeal for whatever can tend to my advantage should have induced him even to talk upon the subject with Lord Castlereagh; but as I am convinced that he meant well, & as Lord Castlereagh understands that I never wrote one Line, or said one word to any body on the subject, I beg that you will not tell Wellesley that I feel any regret upon what has passed.

I shall here drop the subject; & I only beg that no friend of mine will ever even talk upon it with the Ministers, or those connected with them.

In respect to the other part of your letter I acknowledge that in general a Man ought not judge for himself; & there are no persons to whose judgement I would more willingly defer than to your's & Lord Castlereagh's. But I think that you are not aware of the circumstances of my situation; & you have not considered many points which I think bear materially upon the question. I admit that I owe the situation in which I stand, in a great degree to the Willingness I have always manifested to serve in any capacity civil or Military in which I could be useful. The question is whether it will be believed that I am unwilling to serve in a subordinate military capacity if under existing circumstances I quit the Army? Those who know what has passed here; those who have seen the manner in which I & all those belonging to me from the General Officers down to the Common Soldiers have been treated will not believe that because I have again commanded an Army, & have

again been successful, I am unwilling to serve under the Command of any body else To serve in an Army is a very honourable situation, & I have always been of opinion & continue of the same that provided the troops are British, there is no great choice among them, & that without reference to the number or quality of the Troops under the Command of Individual General Officers, they were generally classed on Service according to their respective talents & merits But these opinions are true only in the ordinary cases of the Service, they are not true, & an Officer cannot serve with satisfaction, & possibly not with Honor, when he sees in the Comr in Chief & in those who surround him, not a want of confidence, for they can't help feeling that I alone in Army can overcome their difficulties, & put them in the right road; but a determination not to confide, & to pull me down from the situation in which I stand with the Army. What do you think of my having now 4 Battalions under my Command, there being two Major Generals with six & a Brigadier General with four in the Army? What do you think of their having deprived my General Officers of their Brigades, broken them up, separated the regts, which they had led to Victory, some of which they had had under their command for years, separated their Staff Officers from them, deprived two of them of their Brigades entirely? They have annoyed the Soldiers too as much as they could, & have put themselves to an inconvenience to detach the regts which were under my Command to distant Garrisons, the Soldiers from the marches they had already made having no shoes to their feet, & feeling a very natural desire to see the place for which they had fought.

Then my orders & regulations in respect to the discipline & supply of the Army are treated as so much waste paper, contradicting orders are issued without even a reference to them, & there never was such a state of confusion as we are now in in this respect To this add that they have illegally broken the contract which was made under my authority for the supply of Meat to the troops, & the consequence is that a great proportion of the Army is now fed upon Salt provisions. Then the tricks they have played me personally are no bad symptom of their feelings towards me. Sir Hew Dalrymple the other day offered to send me on a mission to Madrid, & as soon as I accepted it, & pointed out the view in which I thought such a mission would be useful, & the nature of the Instructions I ought to receive, he writes me a letter of which no Man can comprehend the meaning, & sends Lord William Bentinck upon the mission, to whom I knew he had offered it, before he offered it to me To this add the stupid incapacity of these poor creatures for the situation in which they have been placed, that they are the Laughing stock not only of ours but of the French Army, that every Individual from Sir Harry Burrard down is dissatisfied, & I ask you will it be believed by those who consider fairly the conduct of other Men that I have altered my ways of thinking & of acting in respect to serving the publick, since I have had these last successes?

I am aware that there is a party which will run me down for coming away; but I have never cared much for what people say of me without cause; & I shall care less for it than ever I believe now. In short I have determined to quit the Army if these Gentlemen continue in the Command of it; & I never was more convinced of any thing than that I judge right in making this determination.

In respect to the situation in which I shall be when I shall have quitted the Army I am entirely indifferent. I'll return to Ireland if the Ministers wish it; if

they don't, I don't desire it. If I should not return to Ireland I'll remain upon the Staff in England, or, if that is impossible, I'll do nothing, and amuse myself with hunting and shooting.

I have already in more than one letter explained the part I had in the agreement for suspending hostilities, & I consider that as the only act of mine since I have been in Portugal which requires explanation. I sacrificed my own opinion & probably my reputation to a Man in whom Govt. had confided the Command of the Army, who neither deserved their confidence, or such a sacrifice on my part. My refusal to sign the Agreement could not have prevented it, & would have placed me at the Head of a party against the Comr. in Chief who was but just arrived; & created a breach between us, the refusal therefore not only would have been attended by no publick advantage but would have injured the publick inasmuch as it was desirable that he & I should be on good terms, & that I should support, & not oppose his authority & Influence among the troops. There was a sacrifice however, but it was of a personal nature, viz my own opinion & my reputation which will not stand clear till the circumstances are explained, which sacrifice I should always be ready to make to answer a publick object, & I now regret it only because the person for whom I made it is unworthy of any sacrifice. I did every thing I could to prevail upon him not to agree to the objectionable parts of the agreement, but in vain, & my refusal to sign would have had no effect excepting to save me personally from the share of the odium which must attend the transaction whenever it is known. Believe me ever Yours most affectionately

Arthur Wellesley.

7

Portsmouth.

April 13th, 1809

My dear William,

Here we are still detained by a contrary Wind while affairs are drawing to a Crisis in Portugal as fast as possible. By the accounts received yesterday it appears that one French Corps of about 15000 Men had got possession of Oporto on the 29th of March, that another of about 10,000 was on its March from Salamanca, & had arrived at St Felice, and a third the principal one under Victor consisting of about 33,000 Men, having destroyed Cuesta's Army had arrived in the neighbourhood of Badajos about the 1st. of April.¹ General Hill's reinforcement arrived in the Tagus on the 4th or 5th., & our Army to the amount of about 22,000 Men, & the Portuguese Army would be collected in the neighbourhood of Lisbon probably about the 6th or 7th.

The plan of operations would then most probably be as follows. The French would move from Badajos towards the Tagus, which River they would cross at Abrantes. If our troops should shew any disposition to move, they would not bring on the Oporto or the San Felice Corps till that of Badajos would be on the North Bank of the Tagus, & prepared to move on. But it is probable that our

¹ True about Soult but not about Victor. See Oman, *History of the Peninsular War*, ii 289.

SOME LETTERS OF

troops will not be in a situation to move, & therefore the French troops will move up to Santarem as fast & in as many Columns as they may find it convenient to divide into, for the purposes of subsistence & for the convenience of their March. As soon as the junction & cooperation of the three Bodies will be secured they will detach a Corps of about 5 or 10,000 Men across the Tagus again, to occupy the South Bank of that River opposite Lisbon; & by that manoeuvre there being no troops of ours or I believe the Portuguese S of the Tagus, they will obtain possession of Lisbon, whatever may be the nature of strength of the Defensive position which our troops may have taken up.

The course will be this, either the Admiral will write to the General that he can no longer remain with the King's Ships in the Tagus; or the General will write to the Admiral to know whether he can embark the Army the Enemy being in possession of the left Bank, to which the Admiral will answer that he cannot excepting in Cascaes Bay, & then the Evacuation will be determined on, most probably before I shall arrive there. So far I shall be lucky in being out of the Scrape; and I only lament that I did not go to Lisbon two Months ago; for if I had the first step which I should have taken upon my arrival, as it would have been if I had arrived there, or should arrive there in time under existing circumstances, to fortify the ground on the South Bank of the Tagus from the heights of Almada, to the neighbourhood of Bugio, in such a manner as to enable a small corps to hold it

I propose to sail as soon as the Captain is of opinion that we can make any progress. At present however it is blowing so hard that no Boat can communicate with the vessels at Spithead, & the wind is directly contrary.

Ever Yours most affectionately A. W

8

Oporto.
May 22nd. 1809.

My dear William,

You will see the accounts of our proceedings for one Month & I hope you will like them. We should have taken Soult & his whole Army if Silveira could have reached Milgapey¹ one hour sooner, or if the Capn. of Militia of Montalegre would have allowed the Peasantry to break the Bridge at Milgapey, which they wished to do; & we should have taken the Rear Guard on the 16th. if we had had only a quarter of an hour more daylight. The Light Infantry of the Guards pursued towards Ruivaens instead of towards Milgapey in the dark. But as it is the chace out of Portugal is a Pendant for the retreat to Corunna

I am now marching back to the Eastern frontier to drive out a Corps of Victor's which entered by Alcantara a week ago. I hope soon to be able to give an account of them.

I have lost my Sword; & I shall be much obliged to you if you will send me by Stanhope a straight regulation Sword, with a plain black belt.

¹ Milgapey seems to have been the village at the bridge over the Misarella, the *Saltador*.

Tell Stanhope not to forget to bring out some black tea Ever Yours most affectionately

Arthur Wellesley.

9

Castello Branco.

July 1st, 1809.

My dear William,

I have received your letter of the 10th. June, from which I imagine that you apprehended that I had got myself into some scrape. I don't think that Govt have treated me very well, in having allowed the reports to be circulated to which they appear to me to have given currency; and I conclude that some of these reports have occasioned the apprehensions which you entertained when you wrote to me on the 10th

I think it very desirable that you should know exactly what I do, what I intend to do & what are my motives for my actions, & you will be able then to set people right if you think it necessary or proper in respect to the reports which if not circulated are countenanced by Govt

In the first place about the discontinuance of the pursuit of Soult, Govt. have never said as they ought that they ordered me in their instructions not to cross the Portuguese frontier unless it was in an operation which had Portuguese objects & was for Portuguese Defence. They never told the Publick that Romana had on the [blank] of March quitted the Portuguese Corps under Silveira on the day they expected to be attacked, & had gone nobody knew where; & that he had never written one line to any of us, till he expected to be attacked & wanted assistance at Oviedo in the Asturias; & where after all he was surprized, & from whence he fled like an old Woman. Govt. have never explained that I had no information whatever on which I could found any operation in Galicia which had in view to intercept Soult; & yet even with such information to follow Soult into Galicia would not have been a Portuguese object, & would not have been consistent with their Instructions, while to enter Galicia without information of the probability nay the certainty of having Soult intercepted, would have been a positive disobedience of their orders

Lord Castlereagh says that although all was not done which was expected, a great deal was done &c &c. From the force I had & the force opposed to me what right had they to expect that I should do so much? I have never yet had 20,000 Men in Portugal; of these I was obliged necessarily to leave 5000 upon the Tagus & Lisbon, and I had about 15,000 for the operation against Soult of which number 2000 were detached with Beresford. Soult had certainly 14,000 Men if not more. We had Portuguese troops it is true; but as the French Officers say 'they don't care a pin for thousands of them, & run upon them comme s'ils étoient des Lièvres'. Under all these circumstances the defeat of Soult in such a manner ought to have been more than Lord Castlereagh, as it certainly was than I expected or even held out

Then come our subsequent operations. On the 18th. I determined to discontinue the pursuit of Soult, and on the 19th. I heard of the attack of Alcantara by

the French. I immediately ordered the Army to return, and on the 26th the leading Brigades were between the Mondego & the Tagus. The French withdrew from Alcantara, and on the 26th. I knew that return of the Army to the Southward was no longer an object of such pressing necessity. The troops wanted Shoes, & rest, & above all money, and I therefore halted them till the 2nd of June at Covilha and the Head of the Army did not arrive upon the Tagus till the 6th.

I was then to arrange a plan of cooperation with Cuesta for which purpose I had sent off Colonel Bourke & Colonel Cadogan to the Spanish Head Quarters at the end of May.

Upon my arrival in Portugal in April I found with the Army about 120,000 £ instead of 400,000 £ which I had been told I should find, & of that sum nearly 100,000 £ was in Spanish gold which was not current in Portugal. The first step to be taken was to send the gold round to Cadiz to be exchanged for dollars, & I settled that point before I left Lisbon on the 29th. of April, and I concluded that the Frigate *Surveillante* would return with the Money by the middle of May. Instead of that Sir J. Cradock first delayed his departure till the beginning of May; he then amused himself for nearly a Month at Seville & Cadiz, & in short the frigate did not return with the Money till the 15th. of June. I at the same time made known to England our probable want of money (our expenses being, including Subsidy, 200,000 £ per Mensem) but no money came from home till the 26th or 27th of June.

In the mean time the distress of the Army for want of money was terrible, & we suffered from it the greatest inconvenience of every description. It was impossible to move into Spain, till it should arrive, the first sum, that from Cadiz, reached the Army on the 25th. of June, & the whole Army marched on the 27th.

While waiting in this manner for our money I had a discussion with Cuesta respecting our operations, into which it is unnecessary to enter, as the French retired from between the Tagus & the Guadiana on the 14th, as soon I believe as they heard of our arrival upon the Tagus. I heard of this meditated retreat at a very early period; even before I reached the Tagus; & gave credit to it as appears by my dispatches of that date, & therefore I was little anxious to have the power to advance at an early period, being convinced that my advance could have no material effect. If I had had the money I could not have broken up from the Tagus till the 13th., I could not have arrived at Plasencia till the 23rd. at which time the Enemy would have been clear off. So that in point of fact nothing has been lost by the delay. But if any thing has been lost the delay must not be attributed to me.

The Enemy appear now to be collecting their Corps at Talavera de la Reyna, whether to try a Battle on this side of Madrid, or to retire gradually to the Northward, it is impossible yet to say. I think the first probable. I am moving to Plasencia, where I shall be in Communication with General Cuesta who is at the Bridge of Almaraz with about 30,000 Men. The Enemy when the whole will have joined will have 50,000 Men; I have less than 20,000 notwithstanding that Lord Castlereagh has sent me a statement of force which makes me 35000, in which he includes 11 Battalions not arrived two Battalions & one regt. of Dragoons gone away; & two Battalions ordered away.

Pray let us hear how things are going on in England. They appear to me to

be as bad as possible I am sorry that Wellesley accepted the Office of Ambassador, he will not be able to do any good, & still more sorry that he has delayed his Departure for so great a length of time after he had accepted the Office

Pray give my best love to Mrs Pole & the Girls & Believe me Ever Yours most affectionately A. W

10

Plasencia.

July 15th, 1809

My dear William,

The advanced guard of the Army arrived here on the 8th & all the troops that had been with me on the Tagus on the 10th, & the 23rd Dragoons & 48th regt yesterday & the 61st will arrive tomorrow. Craufurd will not be here till the 24th or 25th, & the 7 Battalions from Ireland & the Islands are so bad that I have been obliged to keep them for the present at Lisbon in order to discipline & equip them.

I went over to Cuesta's Camp on the 10th & returned here the 12th While there I saw the Spanish Troops. They have in that Camp about 24,000 Men & 14,000 at Arco Bispo¹ making in all 38,000 under Cuesta of which number 7000 are Cavalry; & there are 18,000 under Vanegas² I have settled a plan of operations against Victor which Cuesta & I are to begin to carry into execution on the 17th. & 18th Victor's force without Sebastiani may be 35,000 Men, with Sebastiani it may be 45,000, ours without Vanegas who is detached upon the Enemy's left flank & Rear will be 58,000 So that if the Spanish Troops will fight at all which I imagine they will, we shall have the best of the numbers at least.

I have thought it best not to wait for Craufurd first because any delay would have been very inconvenient to Cuesta on account of his want of subsistence, secondly because it would have weakened the confidence of the Spaniards in us, & thirdly because I think there is reason to believe that in the time which must elapse before Craufurd can be up, the French Army would be reinforced to a much larger amount, than we should be; & the relative numbers would be materially altered for the worse. If the Spanish troops will fight, they will fight as well in cooperation with 20,000 as with 23,00 British troops; & I consider that no accident can happen to the former number, & that whether we have 20,000 or 23,000 the defeat of the Enemy must depend upon this fact whether the Spanish troops will fight or not I am inclined to believe they will, & I think that if the French had not found they would, they would have attacked & annihilated them long ago

I certainly think that the plan for the Spaniards is not to fight great Battles; But at present I believe it is necessary they should do so; & they would not hear of any proposal of mine to endeavour to move the Enemy from Madrid by Manoeuvre Believe me Ever Yours most affectionately A. W.

¹ Generally called Arzobispo

² Also spelt Venegas

Talavera.
July 25th, 1809.

My dear William,

We joined the Spanish Army at Oropesa on the 20th, drove in the French Outposts at this place on the 22nd, & were to have attacked their Army on the Alberche on the 24th. only they retired in the night of the 23rd. I wanted to attack them on the 23rd. But the strange perverseness of temper of Old Cuesta (who is not unlike Old Rowley¹) prevented the attack on that day, at the same time that he refused to adopt the measures which I proposed to him to facilitate our Enterprize on the following morning, the expediency of adopting which measures could alone justify the delay to make the attack. However I acknowledge that I was not sorry to find yesterday morning when the day broke that the Enemy were gone. I think we should have succeeded, but the position was strong & our loss would have been great. The conduct of the Spanish troops in the little affairs of the 22nd was not very encouraging, they were miserably commanded, & it is very evident to me that Cuesta is too old, & has not talents to conduct in due order the great & confused affairs of a Battle. On the other hand I could not have interfered excepting by way of advice, which all appear ready enough to receive & follow; but Battles against French Generals are not won by advice. I am not sorry therefore that the French retired, though I think we should have beat them; & I believe myself that the manoeuvres which we made as well with Vanegas' Corps which was at Arganda, & threatened Madrid on one side, & with a small Corps under Sir Robert Wilson which was at Escalona, & threatened that city on the other, as with a Spanish division which I forced them to send over the Alberche above the Enemy's position, obliged him to abandon it without a general action; which I think will not be an advantageous mode of action for the Spaniards.

The French have retired towards Torrijos; & I think that Victor & Sebastiani are about to join. I cannot tell whether they will then fall upon Vanegas or offer us Battle again, or retire beyond Madrid. I think that unless they have a Corps at Madrid capable of defending that City against Vanegas, (which I rather expect they have viz that of Suchet brought from Arragon) they must retire. If they have a Corps capable of observing Vanegas they will again offer us Battle when joined. They cannot hurt Vanegas; & taken all together I think matters look well, if Cuesta will act with common Prudence.

I have been obliged to stop here for the want of means of transport & Provisions. I hope that I shall get the former soon; but in the mean time we are in great distress, & I have been obliged to discontinue all active operations for the present & to give notice that I shall quit Spain if I should not soon be supplied. I shall be abused for the existence of the Want, as well as for the measures which I have been induced to take in consequence of its existence, with the Candour which the English Publick treat every subject in which I am concerned. But as for the existence of the Want, I did every thing I could at the earliest period to provide against it, short of stipulating with the Govt. for a supply before I should

¹ A nickname of George III, derived from a contemporary popular song

enter Spain. The Spanish people were either unable or unwilling to supply us, & in either case, as I have told the Junta, they had no right to expect our assistance. I did not stipulate in the first instance for the Supply because in fact I was not authorized by my Instructions to engage to enter upon any operations in Spain which should be inconsistent with the safety of Portugal.

Then as to the measure I have adopted of halting till I should be supplied, or that which I have threatened viz to leave the Country if the Govt had not power to oblige the people to supply the Army, I have only to say that any Man who knows what an Army is must know that it cannot enter upon operations without having means of conveying it's Ammunition it's Medical Stores, & some provisions, & those who know what kind of Country Spain is, the small number of inhabitants it contains, & the great deficiency of Provisions & means of all kinds, must be well aware that unless an Army is not only provided, but well provided, with means of transport it must be in want of every thing. This has been our case to a lamentable degree, & it is absolutely impossible to go on any longer as we are.

If then we cannot go on it is necessary to halt or to go back, & it is but fair & candid to those with whom I am acting to give them early intimation of the existence of this necessity, in order that they may either adopt measures to supply my wants if they require our Services, or that they may place or may keep themselves in a situation not to be injured by our separation from them, if they should not be able to supply my wants. This is what I have done.

Craufurd is by this time at Plasencia, but he will not be here till towards the end of the Month. Believe me Ever Yours most affectionately A. W.

I2

Talavera
August 1st. 1809

My dear William,

My publick letters & the inclosed paper will give you the best Idea of the action which we have fought. Never was there such desperate fighting. The French have lost 10,000 Men at least, & we certainly have had the Honor of beating double our numbers at least.

We have not moved since the action firstly because the Men were so fatigued as hardly to be able to go from their position to their Lines; secondly because the want of Provisions is extreme & very distressing, & thirdly because on the 29th I heard of the advance of a French Corps towards Plasencia from the neighbourhood of Salamanca. The object of this Corps must be to cut off our communication with Portugal & that of the Spanish Army with Seville; & it would not answer to leave it's operations unobserved.

I had long been aware of the possibility that a French Corps would endeavour to penetrate through the Passo de Baños in the mountains which divide Plasencia & Estremadura from Castille, and I had made the following arrangements to prevent them.

First I had stipulated with General Cuesta that he should leave in the Puerto de Baños a sufficient detachment to defend it, secondly I had desired Beresford

to collect his Army near Ciudad Rodrigo with a view to defend this pass as one of his objects. Unfortunately Cuesta did not send a sufficient detachment which I did not know till the 29th, and I am afraid that Beresford will not have collected his force in time. After all the French Corps had not come through the pass on the 30th; and I believe would not attempt to come through if Cuesta had done what I pressed him to do viz had sent off immediately a sufficient detachment to protect it which would have arrived on tomorrow or at latest next day.

As it is this French Corps puts the Army in an embarrassing situation, & we cannot do much till we shall get rid of it. There are still some hopes that Beresford may be in time, & if he is all will be right.

How I shall be abused for our loss!! But I could not recommend that the Combined Armies should run away, nor could I arrange that the French should attack the Spaniards instead of throwing their whole force upon us. My dispatch & the inclosed paper¹ will shew why the Spaniards were not made use of to create a diversion in our favour. The discontent & desertion in the French Army are immense.

Craufurd came in on the morning of the 29th. having marched 48 miles in 24 hours, & we have got some convalescents up; so that excepting in Cavalry we are nearly as strong as before the Action.

I was hit but not hurt & my coat shot through. Almost all the Staff are wounded or have had their horses shot. Never was there such a Murderous Battle!! Ever Yours most affectionately A. W.

13

Deleytosa
August 8th, 1809.

My dear William,

The March of the French troops through the Puerto de Baños which I mentioned in my last, & other unfortunate & adverse circumstances which you will see detailed in my dispatch² of this date to the Secretary of State have obliged us to retire behind the Tagus. I have left it to Lord Castlereagh to publish the whole of my dispatch, & its inclosures or not as he pleases, or to extract the substance leaving out the inclosures, or to make out a statement from the whole. I have begged him however to shew to you & Henry, & to send to the Duke of Richmond a copy of the whole, from which you will judge whether I am to blame in any thing excepting that I trusted Old Cuesta at all. See my Private letter³ to Lord Castlereagh as well as the dispatch.

The commencement & appearance of our misfortune were detailed to you with sufficient accuracy in my last letter⁴ of the 1st., excepting that I then stated that the first Intelligence we received of the Enemy's march towards Placencia was on the 29th. whereas it was on the 30th. I marched on the 3rd. to attack them leaving the Spanish Army to take care of Talavera.

My back was hardly turned before old Cuesta quitted his post, & followed me

¹ *Gurwood*, iv 504, 509

² *Ibid.*, v 4.

³ *Ibid.*, v. 8

⁴ Above, no 12

under pretence that he heard that the Enemy after whom I had marched consisted of 30,000 Men, & thus he exposed the Combined Army to be attacked on one side with 30,000 Men & on the other with 25,000. Nearly at the same time I heard that the Corps from Placencia had arrived at Naval Moral between us & the Passage of the Tagus at Almaraz. Thus pressed in front & Rear, & our only retreat being by the Bridge of Arco Bispo, which if we had delayed the Enemy might have destroyed I determined to retire across the Tagus, & to take up a defensive Line upon that River. If I had not determined & acted promptly that retreat would have been cut off.

In the mean time Cuesta's sudden abandonment of Talavera has lost for us a part of our Hospital. Every thing else & our farther retreat are safe.

This is the outline of our disaster, which would have been avoided if Cuesta had occupied the Post at Baños as he ought, & we should have saved the Hospital, the retreat being necessary after the Enemy had passed through in strength, if he had detailed a Corps sufficiently early as I desired, or if he had remained at Talavera. We have now in Estremadura the Corps of Ney, Soult, Mortier, Kellerman, Victor, Sebastiani, the King, & 5000 from Suchet's Corps.

We have suffered much from want of Provisions. The British Army is a bad one for a retreat or for any privations, and I really believe that in every respect with the exception of the Guards & one or two other Corps this is the Worst British Army that ever was in the field. However I still think that we may bring the Campaign to a good close, if the Junta can put any thing in motion in Castille to make a diversion towards Madrid in our favour, & if they will set seriously to work to form Magazines for the support of the Armies.

Ever My dear William Yours most affectionately

Arthur Wellesley.

14

Merida.

August 29th, 1809

My dear William,

Although my late dispatches to which I have referred you would make you sufficiently acquainted with all that has passed here, & my reasons for adopting the different measures which I have thought it necessary to adopt, yet I think it as well to enter a little farther into the subject, & to point out to your observation two or three circumstances deserving attention throughout our operations.

(First I beg you to observe the care I took of the Puerto de Baños, & of the left Flank of the Army, notwithstanding that I had reason to believe that Soult's Corps was in such a state that it could effect nothing, from the Tenor of the intercepted letters found on General Franceschi. I did not know that Ney's Corps had quitted Galicia, or Mortier's the Asturias & Biscay, & till a Man has carried on operations in Spain for a short time, he would not believe it possible that 34,000 Men should have been assembled at Salamanca under three Marshalls, & not a Spaniard even hinted such an occurrence. However if they had had 100,000 instead

of 34,000 they would not have got through Baños, if the Spanish Battns placed there had done their duty, or had been tolerably well equipped with Ammunition Here is another circumstance over which I had, & could have no control

The next circumstance to which I wish to draw your attention with which I had any thing to do, was the plan of our operations. You will observe that from the nature of the Country the French Armies had every facility in concentrating their force, whereas we were necessarily cut off from Vanegas, by a chain of Mountains which runs from Truxillo in Estremadura, quite into La Mancha, and as Armies we could communicate only by the North of the Tagus, & by the Bridge of Toledo In Manoeuvring therefore with Vanegas' Corps, the object was to oblige the French to detach to oppose him This could be done only by bringing him upon the Tagus at a spot where there were no natural difficulties to oppose his passage, and at as great a distance from the line of operation of our Army as was possible, in order to prevent the French from collecting in a spot central between us, & falling upon which they pleased With this view Vanegas was ordered to Fuente Dueñas, where there is a ford over the Tagus, & from thence to Arganda, where he ought to have been (one march from Madrid) on the 24th July, instead of which he did not approach the Tagus, till the 29th & then he came to the Bridge of Toledo, where the French stopped him with 2000 Men, having on the 25th & 26th collected their whole Army & marched upon us. Thus by Vanegas' omission to do what he was ordered, the very thing occurred which obedience to his orders must have prevented, or we must have had possession of Madrid.

I believe the Junta prevented Vanegas from obeying his orders.

Next in respect to my want of provisions & means of transport, I certainly did every thing in my power to provide myself, and I had every reason to believe that I should have been as well supplied with both as Sir John Moore had been, and I tried to obtain the latter in the very places which had supplied him In respect to provisions, if the Magistrates of the Vera ¹ (?) of Plasencia had performed their engagements to me, we should have had at Talavera on the 22nd of July a sufficiency of provisions to carry us to Madrid

But it will be said knowing on the 17th. of July (which I did) that I had not means of transport, I ought not to have marched from Plasencia. In answer I must say that I could not make up my mind to disappoint the expectations of General Cuesta, of my own & the Spanish Army, that I thought Vanegas would have marched according to the orders sent to him on the 11th, & if he had done so, & we had not marched he would inevitably have been destroyed. But I hoped that the Result of our first operation would have been to open to us La Mancha, a country full of Resources of all kinds, and I did not like to give up every thing, & sacrifice Vanegas having this ground for hope. Vanegas' omission however to obey his orders, & subsequent events prevented us from getting any thing out of La Mancha

I don't believe that I have any thing to explain respecting the Battle of the 27th & 28th. I acknowledge that I was not sorry that we did not fight on the 24th. or on the 23rd. when I proposed it, because we should have lost many Men, & I thought at that time that Vanegas was carrying the plan into execution, in which case the Enemy must have abandoned Madrid, but as he disobeyed the orders he

¹ This is what the word looks like. Junta may be meant.

received, & the Enemy collected his whole force upon us, it would have been better to fight on the 23rd. or 24th when in all probability Victor's Corps would have been roughly handled

In respect to subsequent events I am convinced that a retreat across the Tagus, & that immediate was the only measure that could save either Army When Soult entered Estremadura the French had in that Province 70,000 Men at least whom they could bring to bear without difficulty on any one point, against which number we had about 50,000, for Cuesta's Army was at this time reduced to about 30,000 by desertions &c, and I had not above 18, or 19,000 Vanegas was then pottering upon the Tagus at Toledo & Aranjuez instead of at Fuente Dueñas where there is a ford, & 2 or 3000 Men at each place would have kept him in check. But 50,000 French Men would have been too much for us, & 20,000 would have destroyed Vanegas So far for the subject viewed abstractedly.

But when all the circumstances come to be considered, when it is considered that, owing to Cuesta's refusal to attend to my advice to send off Bassecourt two days sooner, Soult had possession of the only road to the passage at Almaraz, & that he might, & ought to have destroyed our Bridge, that Cuesta having left Talavera, we had an Enemy supposed to be from 20 to 25,000 Strong on our right, with a direct Road by Calera to the Bridge of Arco Bispo our only retreat, while Soult was upon our left with 30,000 (really 34,000) with another direct Road upon the same Bridge, and that if the latter had sent over only some Light Infantry at Almaraz, and had taken possession of the pass in the Mountains, on the left of the Tagus, through which we afterwards marched, we must still have been stopped, I believe it will be admitted that there never was a measure of more determined necessity than the Retreat. I don't claim any merit for determining upon it, for of that, particularly considering the wants & distresses of the Army, there could be no doubt, all I claim merit for is the ready view of our situation, & the early determination to apply the only remedy.

In respect to the loss of part of the Hospital I don't think I have any thing to do with it In the first place I believe that very few more could have been removed consistently with humanity If however Cuesta had sent off Bassecourt so as to stop Soult long enough, to allow me to take the ground of the Bridge of Almaraz which I should have done on the morning of the 4th, or if he had remained himself at Talavera till I consented to his quitting that post, which he ought to have done, we might at least have tried to remove more of the Wounded, & have been certain that none were left who could in any manner be removed. But when he quitted his position, & we had but one Bridge by which we could retire, with 30,000 Men on the left flank, and 25,000 on the right, each within a March of us, there was no time to enter into critical discussions respecting the cases which could, & those which could not bear to be transported, & indeed if there had been I had no means to transport any; & when the question was to be decided I was at Oropesa six leagues from the Hospital, & the Enemy appeared to be in Talavera.

My dispatch of the 21st to the Secretary of State, & my correspondence with Lord Wellesley & Mr Frere will shew you the progress of the distresses of the Army which obliged me to determine to withdraw from Spain You will see in a letter

from the Spanish General Eguia ¹ a reproach that Want is a *false pretext*, & that in point of fact there existed no Want, and an insinuation to the same effect is contained in a letter of the 19th from a Member of the Junta deputed to this Country. You will see the answer which I give to these assertions which indeed are necessarily confined to a reference to the fact, that neither the troops or the Horses received their Rations.

In respect of separating from the Spanish Army you will observe that I gave notice on the 17th of July, that if I was not supplied not only I must halt, but must retire into Portugal. The distress & its effects had increased in the Month which had elapsed, and there were no grounds for confidence in the measures which the Govt. had taken for our relief. In fact they had taken no measures. Our Sick both Officers & Soldiers were increasing daily, indeed every body was unwell, & the Sick list including the Wounded & the Men left in Portugal amounted to not less than 10,000 Men. To this add that we are so worn down by want as to be unequal to any offensive operation; & that in case of a necessity to move, for the defence of Portugal for instance or any other cause, we had just carriages in sufficient numbers to carry away our Sick, by laying down all our Reserve Ammunition, & that the delay of a day which would have brought with it the usual increase of sick on the list would have rendered it impossible for us to remove our Sick.

Since I have separated from the Spaniards I have received a letter from Lord Wellesley in which he desires that I will remain in Spain, & connect myself again with the Spanish Army in a plan to defend the Guadiana. I consider it however a question of a very different description, & one to be decided on grounds entirely different, whether I shall again enter into cooperation with the Spaniards having separated from them, or being with them I should separate from them. I beg to refer you to my letter to Lord Wellesley of the 24th.² August in answer to his of the 22nd.³ for my reasoning upon this subject, which letters have been sent home.

My opinion is that in the existing state of their affairs we (the Army I mean) ought to have nothing to say to the Spaniards.

In fact they have not 80,000 Men they could put in the field, the French have 125,000 besides their Garrisons which are not less than 25,000 more. The Spanish troops will not fight, they are undisciplined, they have no Officers, no provisions no magazines, no means of any description. If we enter into a cooperation with them the burthen of the war must fall upon us; & with us will rest the disgrace of its certain & unavoidable failure. This is not an exaggerated picture. I was slow as every Man is to believe all the bad I had heard of the Spaniards, but I assure you that there is nothing so bad in the Shape of troops; & nothing so inefficient as the enthusiasm of which such a boast is made, & which such pains are taken to excite & keep up. At the same time the Spaniards really detest the French, and I believe it will be scarcely possible for Bonaparte to establish a Govt. in Spain. But the activity, excited by this detestation & the boasted enthusiasm of the people, is limited to great celerity in packing up all their goods, & running off to the Mountains as soon as they hear of the approach of a French Patrole. There are some

¹ Francisco Eguia succeeded Cuesta in command
³ W.S.D., vi 333

² Gurwood, v 76

instances of Couriers being cut off &c, but when one sees the Country, & when one hears of the enthusiasm of the people, & their detestation of the French, it is a matter of astonishment that any Courier should ever reach his destination, and that any Small Patrole should ever get through the Country rather than that those we have heard of, have been cut off To all this add that no Man even of ordinary talents has yet appeared among the Gentlemen of the Country to take the lead, & then tell me what can be expected in the Military Line from these people ? & what chance has a British Army of 25,000 Men even of safety by entering into any cooperation with them ? When the detail of this question comes to be reasoned as you will see it in my dispatch to Lord Wellesley of the 24th. the truth of what I have above written will appear more obvious.

Badajoz

Sept. 4th, 1809

Since writing the above I have received your letters of the 6th & 11th ; & letters from Govt of the 12th approving of all I had done to the 29th July Upon the same Principle I think they will approve of all the rest. Pray see my dispatches ¹ of this date to Lord Castlereagh

I have nothing new for you that is not contained in those dispatches. I have moved here in consequence of Lord Wellesley's wish that I should pass the frontier, and I have the Army in a situation in which it can get food & refreshments, & I can collect it in one day

Give my best love to Mrs. Pole & Believe me Ever Yours most affectionately
Arthur Wellesley.

15

Badajoz

Sept. 13th, 1809

My dear William,

I am much obliged to you for your letter of the 22nd of August which I have sent to Lord Wellesley ² My opinion is that you have done exactly what you ought to have done ; you could not take for me Lord Wellesley's title, you could not take Talavera, you were quite right in not taking Vimeiro, & in that situation I think you have chosen most fortunately, and I am very much obliged to you. I could not have been better off for a name if we had discussed the subject twenty times, but this is a strong instance of the effect upon men's minds of being engaged in the Publick Service I have been for some time in the way at least of being made a Peer, and I don't recollect that one word ever passed between any of us on that subject, or on the title which should be given to me, nor do I believe it was ever thought of.

As you have taken this trouble with Herald's Office &c I shall be obliged to you if you will have my Arms emblazoned, & Lady Wellesley's quartered with mine which has not I believe been done ; & send her a copy

In respect to other parts of your letter as far as I recollect them, I beg you to

¹ *Gurwood*, v. 115, 117, 118.

² Dated 10 September *WSD*, vi 360.

tell Lord Mulgrave how much obliged to him I am for all his kindness to me. He has always been most friendly to me, and I shall not forget it

As to Howarth ¹ I might as well claim credit for the loss of his Horses as himself. He was standing upon the Hill on the left of the Army where I was (excepting for a short time in the middle of the day, when I went to the Center to speak to Genl Cuesta) throughout the 28th, when a shell burst, & killed two of his, & a great number of other people's Horses, which were standing behind it. I think I said as much of Howarth as he deserved; for I agree with you in opinion respecting him, and I think I shall be lucky if he does not get me into a scrape yet

I am sadly afraid that my dispatches of the 8th August have been lost, and I send duplicates of them this day. I likewise send the duplicate of a letter I wrote to you on the 8th. merely that you may have by you all kinds of information for every thing is detailed in my dispatches which I have desired Lord Castlereagh to shew you

There is nothing new here since I wrote to you last. The Army is recovering. Every thing is quiet. All parties precisely in the same situations, & between position & numbers we are I believe so nicely ballanced, that each feels he can do the other no mischief, & all are glad to have some repose, & time to refit. I suspect the French have an eye upon the siege of Ciudad Roderigo, in which I'll prevent their success please God, if they should undertake it, & the Garrison will only hold out long enough to allow me to go to their assistance

Believe me Ever Yours most affectionately Arthur Wellesley.

Give my best love to Mrs Pole & the Girls.

16

Badajoz.

Sepr. 13th, 1809.

My dear William,

I was certain there was something I had to write to you about this morning besides what I have written in the Inclosed, & that is the state of my affairs, respecting which the Ministers may make enquiries upon the Grant of the Peerage.

When I came from India I had 42 or 43,000 Pounds which I made as follows. I got 5,000 Prize money at Seringapatam, 25,000 £ Prize money in the Mahratta War, the Court of Directors gave me 4,000 £ for having been a Comr. in Mysore, & the Govt. paid me about 2,000 £ in one Sum the arrears of an Allowance as Comg Officer at Seringapatam, & the remainder was Interest upon these Sums Savings &c during the time I was in India.

I believe I have about 40,000 £ remaining of the 43,000 £, of which 40,000, £ 20,000 £ & her own fortune 6,000 £ not included in the above are settled upon Lady Wellesley.

Of course I should not wish this statement to be made publick, but it is right that you should know as well what I have, as how I got it, in case any of the

¹ Brigadier General Commanding Artillery

King's Ministers should make enquiries respecting the state of my circumstances.

Unless I have spent it I have also 1700 Prize money for Copenhagen, but I fancy it is gone Believe me Ever Yours most affectionately A W

17

Badajoz

Sept 17th, 1809.

My Dear William,

I wish that Lord Castlereagh would take the King's pleasure respecting the Pension¹ for me at an early period, First because it is as well that it should be done soon, Secondly because it is that kind of arrangement which ought not if possible to be made by the Person who is to succeed him Ever Yours most affectionately

W

18

Badajoz.

Sept 17th, 1809

My Dear William,

I wish you would let me know whether you are desirous to have one or more Ensigncies or a Cornetcy or even two Cornetcies Let me have the names of the Gentlemen to be recommended for each

The Cornets in particular ought to be Gentlemen; & ought to have something besides their Pay. Ever Yours most affectionately

Wellington.

19

Badajoz

Sept. 19th, 1809

My Dear William,

I inclose the Bill of Lading of a Pipe of Port the best that could be got at Oporto, which I have desired to be sent to the Admiralty. You ought to bottle it this October & keep half of it for me

Desire Lady Wellesley to pay you the 10 £ freight, as well as the Duty

There is no brandy in this Wine. Ever Yours most affectionately

Wellington

Sept 21st, 1809

There is no publick news of any description. I believe the French are equally distressed for Provisions with ourselves & can attempt nothing

¹ Castlereagh had already insisted that the King's pleasure should be taken concerning a pecuniary grant to Wellington. See *WSD*, vi 359.

Badajoz.
October 6th, 1809

My dear William,

Lord FitzRoy Somerset has delivered to me the duplicates of your letters of the 8th & 13th of Septr & your letter of the 19th. , but he was delayed for a few days at Falmouth, & has brought out papers of the 21st , in which we have accounts of the Duel, which I suppose was the result of the preceding squabbles about places. All this is very unfortunate , the Govt is gone. But that is not the worst. It will confirm in the minds of all Men the despicable opinions which they have had of the publick Servants of the State.

I am not sorry that Wellesley was in Spain during these discussions. He could have taken no advantage of, at the same time that he would have been involved in them , which would have been a disadvantage , and as things now are he has time to hear how matters are settled, & to consider what line he will take under the settlement. He owes Canning much for having offered to sacrifice his own Office to bring him into power , but I think it would be over payment of the Debt to sacrifice himself because Canning is not made Prime Minister.

I return all the drawings from the Herald's Office. I'll have no Arms but my own ; & the same Supporters & Motto I had before.

There is no news of any description. I am going to Lisbon on Sunday.
Ever Yours most affectionately
Wellington.

Lisbon
October 22nd, 1809

My dear William,

I came down here a few days ago to arrange finally for the Defence of this Country ; and I have received your letter of the 21st Septr. Nothing can be more unfortunate than the circumstances & events to which it relates. It appears to me to be scarcely possible to form a Govt which shall do the business of the House of Commons, without the assistance of both Canning & Lord Castlereagh , and I dread the attempt to patch yourselves up by the aid of the Doctor ¹ & his Myrmydons at a very large expense of Offices, power &c &c. The King will, nay must, fall into the hands of the other party, let your effort be what it may, unless their violence & intemperance should add to your strength ; and all that can be done at present appears to me to consist in increasing your party to enable you to make some head as an opposition.

As for my part my wishes are in favour of Perceval & the Cabinet, and as far as I shall take any part in politicks I shall belong to them. But I don't conceive that I ought to embark in politicks to such an extent as to preclude my serving the Country under any administration that may employ me. In fact I never felt any

¹ Lord Sidmouth

inclination to dive deeply in party Politicks, I may be wrong but the conviction of my mind is that all the misfortunes of the present reign, the loss of America, the success of the French Revolution &c &c are to be attributed in a great degree to the Spirit of Party in England, & the feeling I have for a decided party politician is rather that of Contempt than any other. I am very certain that his wishes & efforts for his party very frequently prevent him from doing that which is best for the Country, & induce him to take up the cause of foreign powers against Great Britain, because the cause of Gt Britain is managed by his party opponent.

It may be true that the Country cannot be served in Parlt excepting by people acting in Parties, and I acknowledge that I don't understand the subject sufficiently to be able to make up my mind upon that point. What has passed lately however has increased my doubts upon that point, & my opinion is that the best result of the late confusion would be a Junction & confounding of all parties to support the Govt. against the Jacobins.

I inclose you a letter which I received this morning from Wellesley. I don't propose to join in his views any more than in those of any other person against the existing Govt. I think the best chance the present Govt have is to put him at their Head, & to bring Lord Melville & Yorke into the Cabinet, & Anstruther into a Privy Council Office, & Vansittart into the Treasury as Secretary. This may hold them up for a time, & at all events they will not be run down as wanting Talents, & in any new arrangement they must be considered, or if they go into opposition they will be respectable.

There is no news. Villiers¹ will go about the first of next Month, & I should think Wellesley about the same time.

Ever Yours most affectionately W.

I think that the grant of my pension will be opposed in the discussion upon that subject it might not be useless to mention that although I am Marshall-General of the Armies in Portugal, which is by no means a sinecure Office, & Captain-General in Spain I have refused to receive & do not receive any Salary or emolument from either Country.

Pray see if you can Cuesta's detailed Report of the Battle of Talavera. It is dated I think on the 6th. of August & is published in the Seville Gazette of the 14th of August. It is almost a copy of my dispatch of the 29th. July; & gives the lie direct to Cobbett & others. Indeed Cobbett & these fellows who pretend to publish every thing ought to be attacked for not publishing this document.

Badajoz.
Novr. 16th, 1809.

My dear William,

Since I wrote to you last I have been to Seville & Cadiz to communicate with Wellesley. He went to England on the 11th. in high spirits, & determined to exert himself to make a strong Govt for the King.

¹ The Right Hon J C Villiers who was being replaced by Charles Stuart as British representative at Lisbon

I have heard some most uncomfortable stories about Henry & Lady Charlotte¹ respecting which principally I write to you at the present moment.

I understand that she is already *under his protection*, & it is probable that they will soon come together again in some form or other.

I don't exactly understand however how her brother who I suspect has been the Instrument of bringing this about, can reconcile to his feelings & notions of Honour, to allow his sister to live & *perform* with a Man, from whom she has been divorced by the Church, & I conclude that Poor Henry will again be dragged through the Mire, & will marry this blooming Virgin again as soon as she will have been delivered of the consequences of her little amusements. Thus the World if not already apprized must eventually know of all these circumstances.

I believe I differ in opinion with you upon the line or rather the no line we ought to take upon these transactions. My opinion is that the Deed being done, that is to say Henry having taken her under his protection, & sent two of his Children to reside with her, we can & ought to avoid to give or even look an opinion upon the subject. We cannot be affected in any manner by this folly, excepting so far as we must be affected by his committing an act which must make him so unhappy, and we ought to avoid every thing which can add to his misfortunes. It is certain that nothing will make him more unhappy than to have any discussion with us upon this subject, or to perceive by our looks or our manner, that we are impressed with unfavourable Opinions upon his conduct.

We ought to consider this his folly as we did his first misfortune, a subject to be lamented, but not mentioned, & we should endeavour to alleviate it, & not to aggravate it by the communication of opinions which he must be certain that we entertain.

These are my sentiments & I hope & think that upon reflection they must agree with yours.

I have but little news for you. The Spanish Army of La Mancha has moved forward & is upon the eve of a General Action & I think of destruction.

I inclose you two accounts which I have received of a Naval Success in the Mediterranean to which I give Credit. I believe that the two ships stated by Frere to have escaped, were destroyed off Marseilles; & that this service was performed by George Martin.

Villiers is still at Lisbon, & now waits for his successor. Ever Yours most affectionately

Wellington.

Give my best love to the Duke & all the little Girls, & to the Duchess

¹ Daughter of the first Earl Cadogan whom he married in 1803. She was divorced by Act of Parliament in 1810 under unusual circumstances. Cf. Countess Granville, *Correspondence of Lord Granville Leveson Gower*, II. 366

Badajoz
Novr 29th, 1809

My dear William,

Just as I expected when I wrote to you last, the Spanish Army in La Mancha said to consist of 50,000 Men had an engagement on the 19th Instant & were completely defeated dispersed & destroyed as an army by 25,000 French Their Head Quarters were on the 22nd at La Carolina in the Mountains of the Sierra Morena, the Battle was fought near Ocaña¹ On the 22nd they had collected but few Men, but I still think & hope that they will be able to keep the French out of Andalusia There never was such folly as their risking this engagement, & strange to say it was confidently believed at Seville that they would beat the French, & the people were in momentary expectation of hearing that their Army was in possession of Madrid

I had no official information whatever of these operations I think till a day or two before the Army was defeated that is on the 17th or 18th., & I then pointed out the folly of what they were doing I was informed of them privately at Seville, and I told Romana & others what would certainly happen, but in vain! & not only they did not ask me to cooperate with them till the last moment when they began to smell a rat, & it was too late, but they never consulted me upon the operation to which however they knew I objected, or communicated their intentions in any Official shape whatever. After all when they did ask for my cooperation, they were neither prepared with Magazines, or with means to cross the Tagus, or any one circumstance which could enable me to be of any use to them

See my dispatch² to Lord Liverpool of this date.

I think it probable that some of the Wise Gentlemen in the Debating Society will attack many of my measures, & I am drawing up a Memm which I will send you, in which I will refer to the Official Documents, from which you can get the truth upon every thing

Since I wrote to you last I have heard that the Divorce is still to go on in the House of Lords, notwithstanding the Protection & of course the *Performance*. If the Protection meant no more than to support her, & to treat her even handsomely & kindly, I think it right & praiseworthy. But why send her the Children?

In short I don't understand the matter, and I can only say that we can have nothing to say to the arrangement one way or other; & still less if he proceeds with the Divorce through the Houses of Parliament

Ever Yours most affectionately Wellington.

Allow me to recommend Mr. Flint, who you will find very intelligent & useful.

¹ On 19 November

² Dated 30 November *Gurwood*, v 312

Coimbra
Jany 4th, 1810

My Dear William,

A long time has elapsed since I have heard from you , but I conclude that you have enough to do in Ireland, & are not au courant des affaires

I have moved the Army to this part of the Country, in order to be in the Way when the French reinforcements will arrive The troops are improved in health , & I hope we shall do tolerably well even if *Boney* should come to drive the Leopards into the Sea

I see that the Common Council are determined to have me again *en Spectacle* at Chelsea at all events , but that shall not prevent me from endeavouring at least to give the French another beating

Ever Yours most affectionately, Wellington.

Viseu.
Jany 26th, 1810.

My Dear William,

You will learn all the news from this quarter which affords but very little from my dispatches ; as I conclude that before this letter will reach England you will have arrived from Ireland after your Election

The object of my writing to you now is principally the state of our Naval concerns in Portugal. You have a general knowledge & so has Lord Mulgrave I believe of the character of the Admiral ¹ on this station but no general knowledge of Character can give either of you a notion of the difficulty of dealing with him in matters of Detail.

His activity is unbounded, the whole range of the business of the Country in which he is stationed, civil Military political Commercial, even ecclesiastical I believe as well as Naval are objects of his attention , & he interferes actively interferes in every thing In my life I never saw a Man who had had so good an education, & had been employed in publick station, & had had some communication with the world, whose understanding is so defective & who has such a passion for new invented modes of doing ordinary things & such a contempt for every thing that is practicable I tremble when I think that I shall have to embark the Leopards in front of Bonaparte aided by such a man, who has already twenty new invented modes of putting Leopards into Boats, & of getting boats off a coast to a ship besides new plans & inventions for the execution of all the ordinary Services that can occur I am already & have been ever since I came to Portugal teased to death by this Man with propositions for new modes of doing every thing in the Commissariat, the Artillery &c &c which coming from such an authority I cannot treat with the contempt they deserve I am obliged to give answers, to reason to temporize, to delay, & to get rid of this impracticable nonsense in the best & least offensive

¹ Vice-Admiral the Hon. G Berkeley

mode in my Power But how is it to be when our decisions & execution must go hand in hand, when every thing to be done must be understood by those who are to execute, must be that which they have been taught to perform, is their daily business, & must be performed immediately or cannot be performed at all?

However I am aware of the reasons why this Gentleman was stationed here & I know that the Duke of Richmond & Lord Bathurst are most desirous that he should continue in command in a station in a Warm climate I prefer to continue to go through what I endure from this Gentleman daily, & to risk all that we do risk by having him here at the moment we may be obliged to evacuate Portugal to his removal against their or his inclination

I request you therefore if you think it proper to mention to Lord Mulgrave what I have said upon this subject, at the same time to tell him that I beg he will keep him in his station, if he cannot be otherwise employed, in a situation satisfactory to himself & his friends

Ever Yours most affectionately W.

26

Viseu.

April 6th, 1810.

My Dear William,

I have received your letter of the 9th of March

I doubt whether any offer has yet been made of the nature of that which you tell me was to be made to the Admiral; as I have a letter from him of a very late date in which he does not mention it, & talks of our operations &c.

However I don't much care whether he goes or not, & I hope that Govt. understand me clearly; that I wish him not to go rather than that he should be removed against his wishes

I think I have managed him rather better lately, & have explained to him more than once that I am responsible, & not he, for all the Military concerns in this Country But still he bores me, & the Heads of all the Departments to death; & more than one of them has expressed a wish that the Admiral was not so great a General

Your Admiral who has nothing to do in his own Department of the Service is a terrible bore in all countries!!

The account which you give of the state of affairs in England is not satisfactory. I wish that Wellesley was *castrated*; or that he would like other people attend to his business & perform too. It is lamentable to see Talents & character & advantages such as he possesses thrown away upon Whoring Then the ruin to his Private Fortune which at his time of life is irretrievable, is as certain as the loss of character, & the misuse of his Talents and the dereliction of his advantages, & the Injury which the Publick & his Party must suffer from this folly This really gives me the greatest concern, & I really think that Sydenham & Shaw¹ as they are the only persons who he allows to talk to him upon these subjects ought never to cease to

¹ B Sydenham, a member of the Admiralty Board, I am not sure who is the Shaw referred to

represent to him the inevitable consequences of his perseverance in the system which he has adopted

Things remain here in the same situation. I doubt whether the French are sufficiently strong to oblige us to quit the Peninsula. They are certainly confidently afraid of us. More so even than our Ministers are that I shall lose the Army. However I am in no scrape, & if Mr. Pitt was alive, or if there was any thing like a Govt. in England, or any publick Sentiment remaining there, Bonaparte would yet repent his invasion of Spain. As it is I think they will not like to meddle with us, unless Bonaparte should come himself. At all events they will not touch us till towards the end of June, & then if we are not before destroyed for want of money which is now pinching us much, we shall be still stronger than we are now. I wish that the Govt. in England was half as stout in Heart & as strong as they ought to be for the circumstances of the moment. But it appears to me that we have lost our Spirit at the moment we most want it; & that we are thinking of our shillings & sixpences instead of opposing the Enemy as the circumstances of the World enable us to oppose him, & as we ought to oppose him.

Give my best love to Mrs. Pole & the Girls & believe me Ever Yours most affectionately W.

27

Viseu.

April 23rd, 1810.

My dear William,

I observe from a perusal of the debates in the House of Lords that the Govt. have printed all my correspondance with the Ambassador at Seville, & all his correspondance with the King's Ministers which I think might as well have been avoided.¹

It can do me no mischief, & therefore as far as I am concerned, I cannot but be satisfied with it, but I think that it would have been for the publick Interests, if a selection had been made.

There is one point, however, adverted to in one of my despatches to Lord Wellesley of the end of August² or beginning of Sept'r to which I wish to draw your attention. It relates to a false report made by Sir Robert Wilson of the Conduct of the Spaniards.

You will have observed that Cobbett at a very early period accused me of jealousy of Sir Robert, that I had undervalued his services & had treated him ill, & the opposition in Parlt have taken up the same ground & even the Ministers have not stated what they knew to be the fact upon this subject.

The fact is that Sir Robert Wilson's action at Baños was nothing at all, excepting

¹ These were later collected together and arranged chronologically in a publication edited by Montgomery Martin, *The Despatches and Correspondence of the Marquess Wellesley, K G*. in 1809 (1838)

² The despatch of 24 August 1809 seems to be meant (*Gurwood*, v 76) Oman (*History of the Peninsular War*, II 620) gives a very different account of this affair, but he was ignorant of this evidence and is always partial to Sir Robert Wilson

a dispersion, & a flight. He was marching through the pass with an intention of putting himself in communication with me again by Plasencia About 11 he saw a dust which he was informed was the Enemy, & at about 5 he was attacked, & the Spanish troops instantly dispersed, (the Portuguese were not engaged) & he was himself pursued by the Cavalry for 8 Miles, & escaped only by the swiftness of his Horse Col Grant the second in command was missing for 8 days, & a long time elapsed before the troops were again collected.

Sir Robert wrote me two accounts of this affair both of the same date, one Official which I sent home, the other Private stating the truth which I now enclose No 1 As I had not a very easy communication with him when I received these Reports, I was unwilling to stop their transmission to England till I should get an Official report founded in truth, & I therefore sent the Official report which was evidently false in my despatch of the 21st of August At the same time I wrote Sir Robert a letter of which I enclose the copy No 2 to which I received his answer No 3 from all which you will see that he did not at that time think I had underrated his services, or had treated him otherwise than with the utmost kindness At the same time I observe that his friends in Parlt if they have not hunted their truth at least have not denied the Aspertions of Cobbett & the Opposition. I could expect nothing else from Sir Robert He is a very slippery fellow, & has behaved very ill to me in another instance, & he has not the Talent of being able to speak the Truth upon any subject

I think it not unlikely that if the paragraph of my despatch to Lord Wellesley which I enclose No 4 should be printed this point may be dismissed, & you have it in your power to shew first from Sir Robert's own account that I had reason to believe that his official report of his action was correct, secondly that I treated him with the utmost kindness upon that subject, & thirldy that he acknowledged that kindness in a letter written to me after he had read my report of his action & all his proceedings

I am sorry to trouble you upon this subject, & I consider it too bad that an Officer in my situation should be teased by such nonsense But under existing circumstances it cannot be avoided.

There is no news whatever. Sir John Sherbrooke is going home, & I shall be obliged to you if you will shew him any attention in your power. Give my love to Mrs Pole & the girls & Believe me ever yours most affecly

W.

Celorico.
May 9th, 1810.

My Dear William,

Since I wrote to you last I have received your letter of the 5th of April from Charles Stewart, who however is not yet arrived from Lisbon You may depend upon it that I shall not get myself into any scrape I don't think however that Govt have behaved very fairly by me. I inclose their last Instructions from which you will observe that their first object in keeping the Army in Portugal is the safety

of the British Army ¹, which is ludicrous enough, & would be well worked up by the opposition if ever this Instruction should come before Parlt. You will also observe that I am not to evacuate before circumstances should make it absolutely necessary. I was very well satisfied with these Instructions which left matters very much at my own discretion & responsibility. But shortly after I received them, I received a Private or rather demi Official letter ² from Lord Liverpool stating that the opinion in England was against fighting a Battle to save Portugal, and stating a preference for one place of embarkation, Peniche, over St Julians. In answer to this I have stated my understanding of the Instructions viz that, if necessary, I am to evacuate, if not necessary, that is to say if not pressed by a superior force, I am not to evacuate. In this last case I may be obliged to fight a Battle. But the choice depends upon the Enemy & not upon me, & I have called for specifick Instructions whether or not I rightly understand the Instructions of the 27th of February; & have desired that if Govt. do not place implicit confidence in me for the plan & execution of the evacuation they should instruct me in detail, & I have promised to execute their Instructions.

I consider the opinion of a Minister in a demi Official letter to be Law, but I won't have publick Instructions which authorize a fair manly line, & private hints which direct one that would disgrace us for ever, & then that I should be responsible for all the consequences of attending to the latter. I have therefore called for specifick Instructions which I expect immediately.

In the mean time I don't think the French are sufficiently strong to do us any injury.

I think that Govt & Country are going to the Devil as fast as possible; & I expect every day to hear that the Mob of London are masters of the Country. I see that fellows are confoundedly frightened after the vigorous step they took in sending Burdett to the Tower. Let them take care that they don't set fire to the extinguisher, or that the soldiers don't join the Mob.

I sent Dundas an account of the motives for Forward's arrangement some time ago. You will find Sir George Rees' arrangement detailed in a dispatch or Private letter to the Secy. of State.

I don't recollect Croker's retirement; but I believe it was quite regular.

Give my best love to Mrs Pole & the Girls &

Believe me Ever Yours most affectionately W.

29

Pero Negro.
October 27th, 1810.

My Dear William,

All is going on as well as possible. You will see or hear of the Contents of my dispatches. I think the French must retire; & I don't know of any reinforcement they can get for their Army of which I need entertain any apprehension.

¹ The situation is conveniently summed up in Fortescue, *History of the British Army*, vii. 442-445

² Dated 13 March (*W S D*, vi 493).

I am greatly in want of Horses, & I shall be very much obliged if you will buy & send me two Mares thrive in these Climates better than Horses The Irish Hack Hunter with good feet & Legs & shoulders is the best of any for Service. Never mind the Price. Ever Yours most affectionately W

30

Brussels.
June 6th, 1815

My Dear William,

I am very much obliged to you for your letter of the 1st and congratulate you upon the ease with which the Parliamentary concerns have been settled

We are getting on pretty well here I hope to march with 80,000 Men, British, Hanoverians, Low Countries, & Brunswicks We shall have about 120 pieces of British & Hanoverian Cannon 16 of Brunswick, and 32 of Low Countries in all 168 which will do pretty well, included in the 80,000 Men will be about 13 or 14,000 Cavalry.

I beg you will tell Wyatt¹ that I am much obliged to him for his Report. I like very much what I read of Houghton & I think that what you will propose to Lord Cholmondeley is very fair

Ever Yours most affectionately W.

Mrs Pole is very well & Emily is getting on.

31

Bruxelles.
June 19th, 1815.

My Dear William,

You'll see the account of our Desperate Battle and victory over Boney¹¹

It was the most desperate business I ever was in; I never took so much trouble about any Battle, & never was so near being beat.

Our loss is immense particularly in that best of all Instruments British Infantry. I never saw the Infantry behave so well

I am going immediately.

Can we be reinforced in Cavalry or Infantry or both?

We must have Lord Combermere as Lord Uxbridge has lost his leg He was wounded when talking to me during the last attack, almost by the last shot

Ever Yours most affectionately

W

¹ Wyatt was employed by Wellesley-Pole to make plans for a house for Wellington

Paris
Sept^r 3rd, 1815

My Dear Willm,

In answer to that part of your letter of the 28th August which relates to our affairs here I confess that I don't feel at all satisfied with the conduct of Govt & particularly of the Regent & of the Duke of York. If Govt. entertain a strong opinion on the subjects of discussion here they ought to give a positive Instruction, If they don't give an Instruction & leave matters to the direction of those here, they ought to support what those thus confided in are doing, or if they don't dare to do that, they ought at least to hold their tongues & not run them down in private societies

That is my opinion, & if it was not for Lord Castlereagh who I don't chuse to leave in the Lurch, I would have no more to say to Govt or their negotiations.

Our greatest difficulties here arise from the private conversations of the Prince & Duke of York [indécipherable] & of the Ministers, & whatever may be the Result of our negotiations here notwithstanding that we have already far surpassed our Instructions of the 3rd of August¹ we the Negotiators shall be blamed.

The Regent His Ministers & the Horse Guards are acting in this Concern exactly as they did in the War in Portugal. They blame all that is doing; but they have not the Spirit to come forward manfully and give an Instruction, If the thing fails we shall be blamed, it it succeeds in the end, and success in a political case can never be so striking as in one purely military, the credit will not belong to those who have carried through the negotiation notwithstanding this additional difficulty.

I was never so much annoyed in any case.

Believe me Ever Yours most affectionately W.

Paris.
Novr. 2nd, 1815.

My dear Willam,

I have received your letter with Mr. Litchfield's Report. I think I must not go farther from London than 70 or 80 Miles, or nearer than 40 or 50. Otherwise I have no objection to Devonshire or Northumberland.

As Wyatt's plan will be ready only now, we have not yet lost time, and I don't believe it is the worse for me not to have bought an Estate yet, as the price of Land must fall with the price of the produce of Land and with Rents. But we shall lose time if we don't make a purchase, this winter, & commence our building operations in the Summer

I am glad you approve of what we have settled here. I am certain it is the best we could do under all the circumstances. I have a very difficult game to play,

¹ See *Castlereagh Correspondence*, x 454 and my *Foreign Policy of Castlereagh, 1812-1815*, p. 468

but I hope I shall succeed As far as I can judge also the Bourbons will establish themselves in France, though upon that point I cannot be so certain It is more difficult to know the truth upon any subject now than it ever was, as all Countries have now got those enviable vehicles of Intelligence, daily newspapers which repeat lies from one to the other with their usual spirit and Intelligence

I see that they have now discovered that I made the British Troops go to Mass to celebrate the Battle of Leipsig, & one paper contains a serious enquiry whether I have not thereby incurred the penalties of a premunire

The truth is that all the German Troops at Paris celebrated on the 18th of October the Victory of Leipsig by a religious ceremony in the Champ de Mars

The Prussians & the soldiers of the North of Germany are Protestants, and the ceremony was Protestant, although some of the Troops such as two Austrian regts present were Roman Catholicks But whether the ceremony was of the Protestant or Catholick Church there was not a single British Soldier present excepting myself!

Believe me Ever Yours most affectionately W.

34

Paris
Febry 13th, 1816

Dear William,

I received yesterday evening your letter of the 6th. regarding your desire to go to the Board of Controul, in which object I would willingly assist you if I could. But circumstances have occurred lately which render it quite impossible for me to make any private application whatever to Lord Liverpool.

The Death of the Leader¹ made in my opinion a great difference in Canning's situation He could now join & be at the Head of the Opposition. The Govt. therefore would be more anxious to get him

Ever Yours most affly W.

35

Paris.
Febry. 20th, 1816.

My Dear William,

I received your letter of the 14th only yesterday I had already written to Lord Bathurst on the [13th. February]... a letter² on the subject to which it relates in reply to one from him, which I conclude had not been received when you wrote.

I wish the British Cabinet would lay aside the notion that I am anxious to be assassinated by a French Mob, & I hope they will allow me to do my own duty in the way I think best myself.

¹ I think that this must be a reference to Whitbread, who committed suicide in 1815, though he was never leader

² W S D, xi 301

As I am to build a house I am very anxious that it should be begun as soon as possible I approved of Wyatt's plan generally

Ever Yours most affectly W.

36

Paris

Febry. 29th, 1816.

My Dear William,

I have received your's of the 23rd

My difficulties with Lord L[iverpool] originate in an application I made lately in favour of Gerald¹, which you will not well understand unless you should see all the papers

I was not only refused, but refused in such terms as to render it quite impossible for me ever to apply to him again for any body on any but publick grounds. However I deserve it for having any thing to say to Govt I am quite certain that I have never done myself any thing but mischief by having any thing to say to the Politicks of the Govt., and yet they can not only not do any thing without me, (I am quite certain Castlereagh could never have arranged the peace if I had not cooperated heartily with him) but they cannot even justify their acts without putting me in the front of the Battle

I don't complain of the Refusal to promote Gerald, but I do of the mode & terms in which it was made

Ever My dear Wm. Yours most affectionately Wellington

37

Paris

Febry 24th, 1817.

My Dear William,

I have received your letter of the 19th and I return the inclosed papers Clinton's name ought to be included, and Spencer's² might be omitted or that of Alten But I should think Spencer had less to say to the operations of the War in the Peninsula than any of the others Ever Your's most affectly W

I hope the Shield³ has nothing to say to the Silver Column In my opinion the City of London instead of presenting me with a Silver Column ought to erect a Column of the dimensions of that in the Place Vendôme in some Square in London. If they present me with a Silver Column they should take the Scale of that in the Place Vendôme. & whatever may be the Size adhere to it

¹ His younger brother, who was in orders

² For Wellington's bad opinion of Sir Brent Spencer see Fortescue, *History of the British Army*, vii 499, where a passage from one of Wellington's letters omitted in *W S D*, vi 587, is quoted from a copy in the Wellington Archives In Lord Raglan's original there is in addition this phrase 'The Royal Family at their dinners or their Card parties would make him say what they please, or he would swear to it afterwards'

³ The publication 'The Shield of Wellington Presented to Field Marshal Arthur Duke of Wellington by the merchants and bankers of London' [1814?] is no longer available in the British Museum Library, having been destroyed by enemy action

THE RESTORATION VISITATION OF THE
UNIVERSITY OF OXFORD
AND ITS COLLEGES

EDITED BY

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INTRODUCTION

I

Historians have paid little attention to the Visitation of the University of Oxford and its Colleges in 1660-62. They have tended to dismiss it summarily as a natural counterblast to the Parliamentary Visitation which immediately preceded it, and as an incident of very minor importance in the period of reconstruction and revenge which followed the recall of the exiled king.

This neglect may in part be due to their lack of material. Practically all that has hitherto been available has been derived from Wood,¹ and his sources of information appear to have been surprisingly inadequate in view of the fact that he was actually working in the University Archives while the Visitation was in progress. But his youth—he was only 28 at the time,—his humble position in the University hierarchy, and his preoccupations in the Tower of the Schools, which caused his friends to fear for his health, prevented him from obtaining any ‘inside information’ about what was taking place. He subsequently had access to a ‘Register of the Visitors appointed by King Charles II anno 1660, in Nicholas Horsman’s hand (registrar to the bishop and archdeacon of Oxford) very little of it registered’.² This appears to have been an unofficial record made for Robert Skinner, Bishop of Oxford, of what took place at the sessions at which he was present, but neither it, nor the ‘black book’ to which Wood also refers, has survived. It is clear that as a source of information it was very inadequate, and that Wood never saw the official Register, for in his account of what occurred there are a number of mistakes which some acquaintance with the latter would have enabled him to correct.

According to Wood, the Visitation started on 31 July 1660 with the eviction of Heads of Houses and others, and lasted for some ten weeks, ending in the middle of October. While the work of eviction and restoration was proceeding during August, the Visitors and their Registrar Gregory Ballard were also going round the Colleges and Halls tendering the oaths of supremacy and allegiance. Both these statements are incorrect. The duration of the Visitation was much longer than Wood allows, and the tendering of oaths took place at a much later date. Wood also criticises the personnel of the Commission as being unfavourable to Royalists, estimating that only one-sixth of those previously evicted were restored, but in comparing the Visitation with its predecessor he eulogises its moderation both in procedure and results. Historians have pointed out that even if his figure of one-sixth is correct (which is unlikely), it is not necessarily evidence of the moderation of the Commissioners, since it does not take other factors into account.

¹ A. Wood, *History and Antiquities of the Colleges and Halls in the University of Oxford* (ed. J. Gutch), II 699 sq.; A. Clark, *Life and Times of Anthony Wood* (Oxford Hist. Soc., 1891), I 318 sq.

² Clark, *op. cit.*, I 325; it was Wood MS. E. 4

II

Not the least surprising feature of the Commission's history is that at no time in its two years of existence did its activities ever have a satisfactory legal basis, and that at no time either then or subsequently, were its actions successfully challenged in a court of law

The origin of the Commission is to be found in two orders of the House of Lords. The Marquis of Hertford wrote a letter from Essex House on 18 May 1660 claiming the Chancellorship of the University of Oxford, and this was backed on 26 May by an order from the House of Lords that he should be admitted to the office. The Lords followed this up on 4 June by an order

that the Chancellors of both Universities shall take care that the Severall Colleges in the said Universities shall be governed according to their respective Statutes and that such persons who have been unjustly put out of their Headships, Fellowships and other offices relating to the severall Colleges or Universities may be restored according to the said Statutes of the Universities and Founders of the Colleges therein

In pursuance of the first of these orders, which was read in Convocation on 6 June, the Marquis of Hertford was elected Chancellor, and he forthwith appointed commissioners to put the second order into effect. They are said to have sat in Oriel College for a few days about the middle of June, but there is no evidence for this in the College records. It was soon realised, and it should have been obvious from the first, that the commissioners lacked any legal authority for carrying out the order of the House of Lords. The latter body thereupon petitioned the king to issue a Commission by Letters Patent under the Great Seal to carry out a Visitation, and empowering the Commissioners, with a quorum of five, or three at the least, to act in his name.

The petition of the Lords was granted, and the Commission passed the Great Seal on 13 July. It was delivered by Henry Ballard to the Commissioners present in the Convocation House on the morning of 31 July, and the first session of the Commissioners took place the same afternoon. Both in respect of the personnel of the Commission and of its powers, the Crown seems to have been badly advised. It is difficult to understand why the Commission included the names of persons who could not possibly be expected to attend—the Lord Chancellor, the Lord Treasurer and the two Secretaries of State. Richard Zouch was present at the earlier sessions, but his judicial duties soon took him away, and of the three bishops, only Oxford attended in the earlier sessions. Moreover the whole legal basis of the Commission was highly dubious. The King was Visitor of only one College, Christ Church, and had no title to regard himself as Visitor to the University as a whole. Presumably the Crown lawyers, in the first flush of Restoration enthusiasm, had advised that the Royal Prerogative would cover the activities contemplated by the Commission, notwithstanding the interferences with property and person which they would involve.

It was during August that the process of giving statutory authority to the Commission—which had already commenced its sittings—was got under way. There was already before Parliament a bill, compendiously referred to as 'the

College Leases Bill', whose purpose was to confirm all leases and grants from Colleges and Hospitals made between 25 March 1642 and 25 July 1660 by *de facto* Heads and Corporate Bodies, giving them legal force 'as if the Heads etc. had been *de jure* and duly intituled notwithstanding such defect in the Lessors and Grantors'. This bill was introduced in the House of Commons on 8 August, read the first and second times, and then referred to the Committee for Bills. Its further progress was impeded by the lobbying of interested parties to get specific leases and grants excluded from its operation, and a number of such exceptions were in fact incorporated in the bill in its final form. It was also at this stage decided to tack on to the bill a number of supplementary clauses quite irrelevant to its main purpose.

The origin of these supplementary clauses is to be found in the belated doubts felt by the University regarding the legality of its action in complying with royal requests sent to it under Letters Patent for the making of appointments and conferment of degrees,¹ and in the realisation that special provision would have to be made for the case of Colleges whose statutes required episcopal ordination on the part of its Heads or Fellows. On 14 August Prynne reported to the Commons an amendment desired by the University, and was ordered to 'pen a clause' for insertion in the bill before it was engrossed. This was Clause VIII, and ran as follows

Provided also this Act or anything therein contained shall not extend to prejudice the title of any person or persons who by Letters Patent under the Greate Seale have obtained from His Majesty any grant of any Deanery, Headship of any House, Rectorship of any Colledge, Cannon's place prebendary Fellowship or Scholarship within either of the Universities but that all and every the said Grants and Letters Patent shall be of such and no other force and effect as the same would have bene if this Act had not bene made Anything in this Act contained to the contrary notwithstanding

On 23 August Prynne reported further amendments, and the House agreed to them and ordered that together with Clause VIII they should be inserted in the bill, which was to be engrossed. Further provisos regarding the question of episcopal ordinations were referred to the Committee, and inserted as Clauses IV and VII. On 29 August the bill was read a third time, and on 4 September the words 'since 1 May 1660 and before 26 August' were inserted after the words 'Greate Seale' in Clause VIII.

The bill then went to the Lords, but both Houses went into recess on 13 September, and did not reassemble till 6 November. During the interval, the first organised resistance which the Commissioners met with came to a head. The affair of George Hitchcock provided Wood with a good story,² probably much exaggerated, for Hitchcock was a member of Gray's Inn and by no means the hothead described by Wood. But it may be presumed that the actions of the Commissioners on this occasion, which were to involve the University in very considerable expense, may have had some influence in causing the Crown lawyers to revise their previous opinion about the Commission and consider the advisability of fortifying the Royal Prerogative by legislation. A petition from Hitchcock and the Lincoln Fellows

¹ Register of Convocation, 1660 sqq., *passim*

² A. Clark, *Lincoln* (College Histories, 1898), p. 133, *Life and Times of Anthony Wood*, v (1895), 64

INTRODUCTION

associated with him was in fact read in the Commons on 27 December, while the bill was in its last stages before passing into law¹

The further history of the bill can be extracted from the Lords' and Commons' *Journals*. It was considered by the Lords' Committee for Bills in the first week of December, and some alterations were made and various provisos added, one of which (Proviso 7) was designed to cover the actions of the Commissioners. In this modified form the bill passed its third reading on 19 December, and was returned to the Commons. Here, on 20 December, Proviso 7 was rejected by 80 votes to 52, and a conference with the Lords was arranged. The difficulty felt by the Commons was partly the wide scope of the Proviso, which referred to any person or persons 'that is or shall be ejected by H M's Commissioners under the Great Seal' without any time limit, and partly its irrelevance to the main substance of the bill. The first of these points was the most important, and after the Lords had in turn accepted two amendments, the first limiting the action of the Commissioners to 'before 25 March next', the second cutting it down still further to 'before 1 January 1660' [i.e. 1660/1], the bill passed both Houses and received the royal assent on 29 December. It is cited as 12 Car II, c. 31. The proviso legalising the actions of the Commissioners ran as follows.

Provided always that neither this Act nor anything therein contained shall extend to restore any person or persons to any Headship Fellowship or Scholarship in any College or Hall in either of the Universities or to any Lecture or Reader's place that is or shall be before 1 January 1660 [i.e. 1660/1] ejected out of their respective Headship, Fellowship, Scholarship, Chaplaine or Clerk's place or out of any Lecture in the said Universities by his Majesties Commissioners under the Greate Seale for not having beene legally and according to the Statutes of the said respective severall places nominated elected or admitted in or to the same, anything in this Act to the contrary notwithstanding

The legalisation of the Commissioners' activities, however, was not yet complete. As the Convention Parliament was not a constitutional one, it was necessary that its acts, which were referred to in the Cavalier Parliament as 'Acts made by the King, with the advice of the Lords and Commons in the last Assembly', should be confirmed by its successor. This business was taken in hand when the Cavalier Parliament met in May 1661. The process was a simple one, for a number of such acts, referred to by their titles, were included in one bill 'for confirming several Acts etc'. In all, sixty-nine Public Acts were confirmed, and in this number the College Leases Act was not included.

The reason for this omission appears to have been the fact that the Act included clauses and an annexe which were no longer operative, for about 27 November a committee of the Commons was asked to bring in a bill to confirm the Act only in so far as it related to leases and grants made by Colleges. No account was apparently to be taken of the extraneous provisions which had found their way into the original Act. A bill to this effect was read a second time in the House of Commons on 11 December, but it never got any further, and there the matter was left.

In the light of these considerations, we can only conclude that the legality of the Commissioners' proceedings was from the first of a very dubious character.

¹ Cal. S.P. Dom. (Aug.) 1660.

Late in the session of the Convention Parliament it was common ground between the two Houses that legislation was necessary to confirm the proceedings of the Commissioners sitting under the Royal Commission of 13 July. In its final form, the College Leases Act purported to confirm retrospectively these proceedings between 31 July 1660 and 1 January 1660/1. But legislation by the Convention Parliament had to be confirmed by a constitutional Parliament, and the College Leases Act never received this confirmation. The net result was that up to 1 January 1660/1 the Commissioners had been, to use their own phrase about the Parliamentary Commissioners, 'acting under an illegall power'; after that date—for they did continue their activities after that date—they were acting without any jurisdiction whatsoever. It is difficult to understand why they deliberately ignored the time-limit, and why their proceedings, which lasted at least up to some late date in 1662, were never challenged. Presumably this was due to some mistaken notion that the Royal Commission was in some measure still effective, and to ignorance of the subsequent proceedings in Parliament.

III

The Register of the Commissioners' Proceedings consists of two parts. The first is a volume formerly in the library of Dr. Routh, President of Magdalen College, and now in the University Archives. It is written in a single hand on leaves of paper of folio size, on both sides, originally not numbered, but paginated on one side only at a later date. The entries fill 42 leaves, or 83 pages in all, and cover the period from 31 July 1660, when it is known that the sessions of the Visitors began, to 20 August of the same year. There are many blank leaves after that which have not been written on at all, and at first sight it is not apparent why subsequent Proceedings were not written on them, but the explanation may be that paper of a smaller size was found more convenient. The gap between 20 August and 11 September is presumably to be explained by a Vacation adjournment.

The second part of the Register is a small volume, recently rebound, in the University Archives,¹ and containing the Proceedings of the Visitors from 11 September 1660 to 24 July 1662. It is much shorter than the first part, the record being kept in a less elaborate and orderly fashion, and it only occupies 26 sheets of paper, or 52 pages in all. There are a few miscellaneous papers bound in at the end of the volume.

The Register is written in Latin and English. The formal parts are in Latin, often abbreviated to the point of obscurity, while the proceedings are generally in English. There are marginal notes in Latin to indicate that citations, monitions, and other orders of the Commissioners have been attended to.

Both parts of the Register were written by, or under the immediate supervision of, Gregory Ballard of St John's College, a public notary, who signalises his presence at each session. As *Registrarius* or *Actorum Scriba* he held a position analogous to that of the Secretary of a modern Royal Commission. At a very late session (12 May 1662) one Edward Master (of Hart Hall?) deputised for him, but only on this one occasion. At a session on 16 October 1662 he was, on his own petition,

¹ Arch. Univ. Oxon. N.E.P. *supra* 42.

re-elected Registrar The last session of which there is any record was that of 6 November 1662, which was adjourned to the last day of term

The Visitation Register has up to the present been unknown to any historian of Oxford We have seen already how it was not used by Wood or his successors, and in Montague Burrows' invaluable Register of the Parliamentary Visitation, the names of the Fellows and others who were restored in 1660 were supplied by the College records.

THE RESTORATION VISITATION OF THE UNIVERSITY OF OXFORD AND ITS COLLEGES

FIRST PART, 31 JULY-20 AUGUST 1660

Acta habita gesta et expedita in domo Congregationis Universitate [fo 1r]
Oxon die Martis ultimo vizt die mensis Julii Anno dñi Millesimo sexcen-
tesimo sexagesimo inter horas nonam et undecimam ante meridiem ejusdem
diei coram Reverendis et Egregis Viris Roberto providentia divina Oxon
Episcopo Paulo Hood Sacrae Theol doctore Coll Lincolnenſis Rectore ¹
Richo Zouch LL doctore et Supremæ Curia Admiraltatis Angliae Judice
Thoma Claytoⁿ et Martino Lluellin in Medicina doctoribus Michael Wood
Novi Coll Custode Thoma Barlowe Coll Reginensis Praeposito Roberto
Saye Coll Oriel Praeposito Waltero Blandford Coll. Wadham Custode
Johanne Houghton et Thoma Lamplugh Sacrae Theol Bacchis et Amose
Walrond Armiger commissionerarius ad visitandum Universitatatem Oxon
tam in capite quam in membris propter Serenissimum Dominum Carolum
Secundum dei gratia Angliae Scot Ffranc et Hiberniae Regem, Ffidei
defensor &c Duodecimo Annoque domini Millesimo Sexagesimo in praesen-
tia mei Greg Ballard LL Bacchi et Notarⁱⁱ publici in Registrarium Sive
Actorum Scribam propter hoc assumpti Quibus die hora et loco compar-
uerunt Commissionarii ante dicti, et porrectio eis trio^r Commissionar
Serenissimi domini Regis Magno Sigillo Angliae communita per me not-
pub publice tunc et ibm plenis 5 gerentibus data, decimo tertia die mensis
Julii Anno dñi 1660

Onus et executionem Earundem in se acceptarunt, et juxta tenorem [fo 1v]
earum profferunt, etprehendendum fore decreverunt, realiter et cum effectu,
et dimissis doctor Magistris et reliquis Visitationis Membriſ continuarunt
et prorogarunt jurisdictionem suam in eundem locum et in horam tertiam
post meridiem ejusdem diei

Acta etc. in domo Congregationis inter horas tertiam et quintam ejusdem
diei [before the same commissioners] in praesentia Mei Greg Ballard Not
Publ in Registrarium et Actorum Scribam assumpti

Quibus die hora et loco comparuit [blank] Sanderson Sacrae Theol Dr. Sanderson
Doctor et allegavit that [he] was duely and lawfully possessed of the place
or office of the public Professor of Divinity in the University of Oxon [fo. 2r]
by virtue of a graunt to him made by the late King Charles the first of
blessed memory and was in quiet & peaceable possession thereof untill the
yeare 1648 at which tyme hee was unduely turned out and evicted from his
said Professor's place, by the then pretended Visitors ² of this University
and John Conant Dr. of Divinity and Rector of Exeter College in Oxon

¹ Written above erasure of *Praeposito*.

² *Visitors of this Visitors* in MS.

nowe possesseth the same and enjoyeth the profitts thereof, for which hee prayeth releife.

Dr Conant

[Same formula] Comparuit Johannes Conant S T D et interrogatus by what right or title hee claymeth the Divinity Professor's place in this University hee answereth and sayeth that hee believeth that Dr Sanderson was admitted to the publick Professor's place in divinity in the University, by virtue of letters patent from the late King But after hee the said Dr Saunders ¹ left the same, or was removed from the said place, Dr Hoyle of University Coll officiated the same for about six yeares, and hee dying the Respondent was invited without any seeking of his owne by the late Lord Protector Oliver, and was by his power settled and invested in the said place All which submitting himselfe hee referreth to the consideration of this Hon^{ble} Board

The Commissioners, pronouncing for the right & title of the said Dr. Sanderson, did declare him the said Dr. Conant to bee unduely and illegally admitted to the said Professors place And therefore decreed him to bee removed & Dr Sanderson to bee restored to the said publick Professor's place

[fo 2v]

Dr Sanderson

[Same formula] comparuit Dr [blank] Sanderson and alledged that hee being duely and legally possessed by due right and title of Lawe of a Canon's place in Christ Church in Oxon and having beene for severall yeares in quiet possession of the same, was in the yeare 1648 illegally removed from and evicted out of the same by the then pretended Visitors of the said University, for which he prayes releife Mr. Cornish appearing sayth that upon the eviction of Dr. Sanderson hee was by authority of Parliament in the yeare 1648 admitted into a Canon's place in the Cathedral Church of Christchurch in the University of Oxon, submitting himselfe to this board The Commissioners pronounced for the right and title of Dr Sanderson, and declared the said Mr. [blank] Cornish to bee unduely admitted into the said Canon's place And therefore decreede the said Mr. [blank] Cornish to bee removed out of the same Canon's place. And Dr Sanderson to bee restored to the same in his former right and title

Dr Cornish

Dr Baylie

[Same formula] comparuit Dr Richard Baylie Sacrae Theol Doctor et allegavit that hee being lawfully and statutably elected President of St. John Baptist Coll. in Oxon was for many yeares in quiet and peaceable possession thereof till in the yeare 1648 hee was turned out of the same, by the then pretended Visitors of this ² University, and Mr Thankfull Owen Mr of Artes nowe possessing his said President's place, decreede that Mr. Owen bee evicted

[fo. 3r]

Mr. Thankfull
Owen

Mr. Thankfull Owen appearing answereth that Dr Baylie being evicted out of his President's place in St John Bapt Coll in Oxon in the yeare 1648 by the then Visitors of this University of Oxon Dr. Channell succeeded him (by the order of the said Visitors as hee believes) And afterwards, hee the said Mr. Channell relinquishing, hee this Respondent succeeded the said Dr. Channell The Commisioners pronounced for the right & title of the

¹ Sic

² the said erased.

said Dr Richard Baylie to the said President's place and decreede the said Mr Thankfull Owen to bee removed and the said Dr Baylie to be restored to the same

[Same formula] comparuit [blank] Mansell Sac^r Theol Dr et allegavit that hee being legally and statutably elected and admitted Principall of Jesus Coll in Oxon was for severall yeares in peaceable and quiett possession thereof till in the yeare 1648 At which tyme hee was illegally turned out of the said Principall's place by the then pretended Visitors of this University, and Mr. Ffrancis Howell M^r of Arts now possesseth the same, for which hee prayeth releife Dr Mansell

Mr Francis Howell M^r of Arts appeared and sayeth that hee doth not possesse the place of Dr. Mansell in Jesus Coll for hee doth accompt him most worthy of the same But hee sayeth that the said Dr Mansell being in the yeare 1648 evicted out of his said Principall's place in the said Coll by the then Visitors of this University, Dr. Roberts (by the same power as hee beleiveth) succeeded him And the said Dr. Roberts being removed hee this Respondent was collegiately according to the Statutes chosen by the fellowes of the said Coll into the same place. But hee submitteth himselfe to the hoble. board The Commissioners declared that hee the said Mr Howell was unduely elected into the said Principall's place and therefore decreed him to bee removed from the same And pronouncing for the right and title of the said Dr Ffrancis Mansell, decreed him to be restored to the said Principall's place in Jesus Coll. aforesaid And they did then and there restore him to the same. Mr Francisc Howell [fo 3v]

[Same formula] Comparuit Hanniball Potter Sacrae Theol Doc^r et allegavit that hee beeing legally and statutably possessed of the Praesidents place in Trinity Coll. in Oxon was in the yeare 1648 unduely and unstatutably turned out of his said place by the then pretended Visitors of this University and Dr Seth Ward nowe unduely possesseth his said place, for which hee prayeth releife Dr Ward appearing, by consent of both parties this matter was referred to be debated betweene the said parties, And they judiciously monished to appeare to see farther proceedings on Friday next at three of the clock in the afternoone, before the said Commissioners Dr Potter

[Same formula] Comparuit [blank] Newlyn Sacrae Theol Doct^r et allegavit that hee beeing duely and rightly according to the Coll Statutes elected and admitted President of C C C. in Oxon some yeares since was for severall yeares in quiet and peaceable possession thereof till in the yeare 1648 at which tyme hee was unjustly turned out of his said President's place by the then pretended Visitors of this University and Dr Staunton nowe possesseth the same place, for which he prayeth releife [fo 4r] Dr Newlyn

Dr [blank] Staunton appearing answered that hee was put into the President's place of C C C. in Oxon in the yeare 1648 by the authority of the Parliament then sitting and for farther right hee submitteth himselfe to the judgement of this board The Commissioners pronounced for the right and title of Dr Newlyn and decreede the said Dr Staunton to be removed and doct^r Newlyn to bee restored. Dr Staunton

Dr. Walker [Same formula] (appearing in place of Martin Hirst) Thomas Walker S T D that hee having been for many yeares in the peaceable possession of the Master's place of University Coll in Oxon was in the yeare 1648 unduely put out of his said place by the then pretended Visitors of this University and one Mr [blank] Johnson nowe posseseth the same place for which hee prayeth releife Decretum Mr Johnson citandum.

[fo 4v]
Dr Gardner [Same formula] Richard Gardner Sac^r Theol D^r allegavit that hee being duely admitted Canon of Christchurch many yeares since by virtue of his late Ma^{tie}'s graunt under the Great Seale of England was quietly and peaceably possessed thereof for severall yeares, untill in the yeare 1648 at which tyme hee was unjustly turned out by the then pretended Visitors of this University and Christopher Rogers Dr. of Divinity now posseseth the same for which hee prayeth releife.

Dr Rogers Dr. Christopher Rogers appearing sayeth that doct^r Richard Gardner beeing possessed of a Canon's place in Christchurch in Oxon was rightly evicted out of the same in the yeare 1648 by the Lords & Commons in Parliamt, which hee believeth was a lawful power And hee was by the same power put into the said Dr Gardner's Canon's place. The Commissioners upon this his answer pronouncing for the right and title of the said Dr. Gardner to the said Canon's place in Christchurch aforesaid decreed the said Dr. Rogers to be removed out of the same, and Dr. Richard Gardner to bee restored

[fo 5r]
Mr Gayon [Same formula] Comparuit Edmundus Gayton Art Mag^r et allegavit that hee beeing chosen lawfully and admitted Superior Bedle of the arts according to the Statutes and Customes of this University in the yeare 1636 did quietly and peaceably possess and enjoye the same till the yeare 1648, at which tyme hee was illegally evicted out of his said Bedle's place. And one Mr Campion nowe posseseth the same.

Mr Ball [Formula abbreviated] Comparuit Gulielmus Ball et allegavit that hee being statutably elected and admitted to the inferior Bedle's place in the Arts in the University of Oxon about the yeare 1636 did continue in the quiet and peaceable possession of the said place till in the yeare 1648 at which tyme hee was evicted out of the same by the then pretended Visitors of this University and John Langly¹ who was brought into his place by the said Visitors now posseseth the same for which hee humbly prayeth releife. The Commissioners decreed the said John Langly¹ to bee removed and the said Mr. Ball to bee restored and then and there delivered him his Staffe

[fo 5v]
Solla.
Leichfield [Formula abbreviated] Comparuit Solladell Leichfield and alledged that hee was chosen and admitted inferior Bedle in the Lawe about 26 years since and continued some yeares in quiet possession of his said place till in the yeare 1648 at which tyme hee was evicted out of the same by the then pretended Visitors of this University and one Thomas Stevenson now posseseth his place for which hee prayeth releife. The said Thomas Stevenson there present alledged that hee was chosen by Convocation in

¹ Written over erasure of *Anthony Ffidee*

a voyde place fforasmuch as it appeared the said Stevenson succeeded him that was brought into Mr Leichfield's place by the then Visitors. The Honble. the Commissioners pronounced and declared for the right of the said Mr. Leichfield and decreed the said Mr Stevenson to bee removed from the said Bedle's place and the said Mr. Leichfield to bee restored as they did then restore him by delivering him the Staffe belonging to his office.

Fforasmuch as it was alledged on the behalfe of Henry Davis, the inferior Bedle for divinity that hee was unduely turned out of his said Bedle's place by the late Visitors, and that Anthony Ffidoe was by them brought into the said place the Commissioners decreed that the said Anthony Ffido should be removed, and the said Henry Davis bee restored to his said Bedle's place and his Staffe to bee delivered unto him

Hen Davis

Acta &c

Quibus comparuit. Henricus Whitwick Sacr The Bacch et allegavit that hee being elected and admitted Master of Pembroke Coll. in a Collegiate and Statutable way was in quiet and peaceable possession thereof But in the yeare 1648 hee was evicted out of his said Master's place by the then pretended Visitors of this University for not submitting to theire Visitation and [blank] Langly Dr of Divinity at present beeing in the same place unduely deteyneth the possession thereof from him for which he prayeth releife

[fo 6r]
Mr Whitwick

Dr Langly appearing answered and sayde that upon the vacancy or voydance of the said Mr Whitwick hee had the M^{rs} place in Pembroke Coll. conferred upon him by an Ordinance of the then Lords and Commons of Parliament in the yeare 1648. And to corroborate his title hee produced certaine letters from his gracious Ma^{tie} which the Commissioners then receiving with all due reverence and observance having perused the same did then putt off all farther proceeding in this cause till Friday next the thirde of Aug^t betweene the houres of Eight and Eleven in the forenoone both parties concerned beeing judicially monished to bee then present

Dr Langly

[Fo 6v is blank]

Acta etc in hospitio Venerabilis Viri Gilberti Sheldon S.T. P et Coll. omn̄ animar̄ Oxon Custodis inter octavam et undecimam horas primi die¹ Mensis Augst Ao dñi 1660 coram reverendis viris infra nominatis in presentia mei Greg Ballard Regni assumpti et notii publ

[fo 7r]

Commissarii tunc presentes Robertus Oxon Epus, Paulus Hood S.T.D., Rich Zouch LLD, Timotheus Baldwin, LLD^r, Thoma Clayton Med D^r, Amos Walrond Armig^r, Martin Lluellin Med D^r, Michael Woodward, Thomas Barlow, Thomas Lamplugh, Gualter Blandford, Johannes Houghton, S.T.B.

Negotium concernens affirm Principall Aen Nasi Oxon

[Same formula] Comparuit Thomas Yate Bacch of div and alledged that in the yeare [blank] the Principall's place in Brasenose Coll Oxon became voyde by the death of Dr Samuell Radcliffe late Principall there, and thereuppon the then Vice Principall with consent of other of the followes

¹ dies in MS.

according to the Coll, Statutes caused a Citation to bee publickly sett upp and affixed upon the [blank] thereby citing and summoninge all the fellowes of the said Coll, concerned in the election of a newe Principall to appeare upon a legall day therein fixed to proceede to the election of a newe Principall of the said Coll But at the day prefixed the fellowes meeting for that purpose they ¹ founde before their Chappell the place assigned for their election a guard of soldiers who prohibited them to proceede And there-upon the Vice Principall Mr Thomas Sixsmith retiring to his chamber in the said Colledge, in the presence of a Publick Notary protested against that unlawfull force, which then hindered and obstructed their intended election. But within fewe dayes after the fellowes of the said Coll judging there publick meeting not secure, yet desirous to come as neere as they could to the observance of there Colledge Statutes did meete in a fellowes Chamber in the said Coll And then & there they made there election and by the major parte of lawfull Suffrages hee the said Mr Thomas Yate was elected Principall which said election beeing certified to the right reverend Ffather in God the Bishop of Lincolne then beeing the proper Visitor of the said Colledge hee approved thereof And by virtue thereof admitted him the said Mr Thomas Yate Principall of Brasenose Coll. in Oxon. And for proof of the premisses hee produced the registrum of the fellowes presentation and offered himselfe ready to prove his admission by the Bishop of Lincolne there Visitor

Dr Daniel Greenwood appearing denyed that Mr Yate was Collegately elected or admitted But in case hee were admitted hee hath made forfeiture of his said place in regard hee hath not taken the Principall's oath which is required by Statute under paine of expulsion It was then replied that Dr Greenwood had pretended to be Principall of the said Coll. for above ten yeares and soe longe in quiet possession thereof And yet hee had not taken the said oath, which hee confessing, and saying being questioned that hee was brought in Principall in the yeare 1648. The matter was deferred till Munday next between 2 & 3 of the clock afternoone.

[fo 8r]
Dr Lluellyn

Quibus etc Comparuit Martinus Lluellyn Med. Doctor and then & there hee produced and exhibited certaine letters from the Right Hon^{ble} the Lord Marquesse of Hertford Chancellor of this University directed to the Vice Chancellor of this University, thereby willing and desiring him to admit the said Doct^r Lluellyn Principall of St Mary Hall in Oxon, which letters bearing date the twelfth of June 1660 beeing then and there read, it was ordered that [line erased] Mr Cole the pretended Principall bee cited

Die Veneris Tertia Augst mane Venerabiles viri Robertus providiā Oxon Epūs Richus Zouch Ll doctor Amos Walrond Armig^r Commissionarij etc. continuarunt et prorogarunt [blank] suam in Apodyterium prope domum Congregationis Universitatis Oxon.

Aug 1 1660

In hospitio Venerabilis viri Gilberti Sheldon Coll onū animār Oxon coram Commissiones prae notatis.

¹ the in MS.

Upon report made to the honorable, board of the ingennuous and civill carriage of Samuel Clarke the Superior Bedle of Llawe, and for that hee came not into the said office in the place of any extruded person, it was ordered that hee shall bee continued in his said Bedle's place And hee was continued by the said Hoble the Commissioners

Superior Bedle of divinity Simile proviso cum Samuel Clarke im-
mediate praecedente Timoth Wilkins

[Fo 8v is blank]

Acta etc in Apodyterio die Veneris Tertio viz^t die Mensis Augst Ao [fo 9r]
dm̄ 1660 8-11 A M praesente me Greg Ballard.

Commissionsers present Bishop of Oxford, Rich Zouch, Thomas Barlowe, Walter Blandford, Robt Say, Thomas Clayton, Martin Lluellyn, John Houghton, Thomas Lamplugh

Upon complaint made that Dr Staunton notwithstanding his removall from his President's place in C C C. hee doth still keepe and deteyne in his possession the Lodgings belonging to the President of the said Coll denying Dr Newlyn possession thereof. Ordered by the Commissioners that an order bee sent in writing to will and command the said Dr Staunton within fower dayes of the receipt thereof to voyde the said Lodgings and to deliver upp quiet possession thereof to Dr Newlyn the newe President

Ordered and decreed &c that public Readers in the University be cited to appeare before the Commissioners vizt

Dr Seth Ward Astronomy Reader Dr John Wallis Geometry Reader Dr Henry Wilkinson Lady Marg^t Reader Dr. [blank] Du Moulyn History Reader Dr. Joshua Crosse Naturall Philosophy Reader Mr Wm Carpenter Morall Philo Reader Mr John Harmer Greek Reader Mr [blank] Button the University Orator

Quibus etc comparuit Dr Langly Coll Pem Magister pretensus And his former answere beeing read the Hoble the Commissioners pronounced and adjudged him to bee unduely and illegally elected and admitted to the Master's place in Pembroke Coll in Oxon, and did therefore decree him to bee removed from the same, as they did then remove him and declaring for the right and title of Mr Henry Whitwick Bacch of divinity, they did order and decree him to bee restored to his Master's place in the Coll. and they did then restore him to the same and at the request of the said Dr. Langly hee was allowed till Michaelmas next to cleare the Master's Lodgings, and was enjoyned at that time to deliver up the quiet and peaceable possession of the same to Mr Henry Whitwick the newe M^r of the said Coll

Acta etc. in Apodyterio. Friday 3 August 2-6 P M in praesentia mei [fo 10r]
Gregory Ballard

Commissioners present Bishop of Oxford Rich Zouch Robert Saye Walter Blandford Thomas Clayton Martin Lluellyn Timothy Baldwin John Houghton Amos Walrond

[Same formula] Comparuit Hannibal Potter S.T.D and adding to his former allegation's hee then alledged and sayde that at such tyme as hee was elected and admitted President by the fellowes of Trinity Coll afore-

said hee was in a Statutable way presented by twoe Senior fellowes of the said Coll to the right reverend father in God the then Byshopp of Winchester the proper and locall Visitor of the said Coll and was by his Lordship admitted to the said place of President in Trinity Coll aforesaid, and for prooffe thereof produced an instrument of confirmation under the said Bishop's Seale At which tyme & place Dr Seth Ward beeing present replied and said that hee was not chosen President of Trinity Coll in Doct^r Potter's place But one Robert Harris Doct^r of divinity succeeded him the said Dr Potter And hee dying one William Hawes M^r of Arts was by the fellowes of the said Coll in a Statutable and Collegiate way elected President there, and possessed of the said place But within a short space of tyme the said William Hawes resigning his said President's place in the said Coll he the said Dr Seth Warde was by a Collegiate election of the fellowes there nominated and elected President ¹ and was alsoe by them admitted President of the said Coll

[fo 10v]

The honorble the Commissioners seriously and deliberately weighing the allegation of Dr Potter and considering the reply and answere of Dr. Seth Ward did conclude and declare that the said Dr Seth Ward was unduely and illegally elected and admitted President of Trinity Coll in Oxon and did therefore order and decree that hee should be removed out of the same place as they did then remove him from the same. And did then and there pronounce and declare for the right and title of Dr Hannibal Potter to the said President's place, and did adjudge and decree him to bee restored to the same, and did soe restore him

This business beeing thus transacted a question arising concerning the tythes of the Rectory of Garsington which is annexed to the President's place of Trinity Coll aforesaid The said Dr Seth Ward alledged that hee had officiated the whole yeare or neer upon, and that the rent for the tythes of a greate proportion thereof would become due at Michaelmas next Both parties by consent submitting themselves to the judgment and determination of the board It was then ordered that the tythes for the present yeare ending at Michaelmasse next should bee equally divided betwene the said Dr Potter and Dr Ward to which they consented

[fo. 11r]
August 3 1660

John Brace M^r of Arts and pretended fellowe of St John Baptist Coll. in Oxon appeared and beeing demanded upon what right and title hee holdeth his fellowship in the said Coll, hee answereth that he was admitted fellow there in the yeare 1648 by the power of the Lords and Commons then in Parliament The Commissioners accepting his answer resolved to advise thereupon

[Four lines erased which record his removal.]

John Whitwick M^r of Arts and pretended fellow of St John Baptist Coll in Oxon appeared and beeing demanded by what right and title hee possesseth his fellowship in the said Coll: Hee answereth that hee was elected in the yeare 1644 from Coventry Schoole. But went then to Cambridge And was afterwards brought in fellowe of St. John's Coll in Oxon

¹ of the said College (after President) erased

by an order of the late Visitors of Oxon. The Commissioners receiving this his answeare resolved to advise thereupon.

[Three lines erased which record his removal]

William Waddon beeing questioned sayth that hee was brought in fellowe of St John's Coll in the yeare 1648 by the then Visitors of this University according to an order of the Lords and Commons

The Commissioners considering his answeare resolved to advise there- [fo 11v] upon

[Four lines erased which record his removal]

John Trowton Bacch of Arts and fellow of St John Baptist Coll (beeing John Trowton a blinde man) sayth that hee was elected in the yeare 1655 by the Major and Aldermen of Coventry and thereupon admitted into St John's Coll. by Mr Thankfull Owen then President. The Commissioners resolved to take farther advice in this matter

John Brasier M^r of Arts and fellow of St. John's beeing Statutably John Brasier chosen in the yeare 1652 in an old fellowe's place resigned Dismissed

Samuel Christopher chosen from Merchant Taylor's Schoole since the Sam X/sfer Visitation Dismissed.

Thomas Handiday elected in the yeare 1647 by Dr Baylie, then President Tho. Handiday of St John's Dismissed

Acta etc in Apodyterio die Sabbati [sic] 4th Aug 1660 9-11 A M presente fo 12r Augst 4 me Greg. Ballard

Commissioners present Thom Clayton Robt. Say Timoth Baldwyn Martin Lluellyn Gualt Blandford Joh Houghton Amos Walrond

Comparuit denuo Dr Wallis and for his title to the Geometry Readers Dr John Wallis hee exhibited the certificate of his election to the said place under five of Praelect the Eleconers hands assigned by the founder of the said lecture by which Geom as hee sayth hee was duely elected to the said Readers place

The Board will farther consider &c

Comparuit Dr du Mowlyn and beeing interrogated by what title hee Ludovic du Mowlyn Med claymeth right to the History Readers place in the University hee pro- doctor duced a copy of an order from a Committee of Lords and Commons for Praelect Reformation of the University of Oxon which beeing openly read before Histor the said Commissioners they resolved to consider farther and monished him the said Dr du Mowlyn to appeare in this place personally on Monday next at twoe of the clock in the afternoone.

Comparuit and beeing interrogated upon what right hee possesseth Joshua Crosse the Nrall Philos Readers place in this University hee sayth hee has severall Li D^r papers which ¹ are usefull for the proofof his plea which hee cannot yet Praelect procure But hee humbly prayeth some tyme to bee allowed him to prepare Nrall Philos the same The Commissioners assigned him to appeare in the place on [fo. 12v] Monday next betweene nyne and eleven of the clock in the forenoone

Comparuit Mr. [blank] Button and it being demanded by what right M [blank] hee claymeth the said Orators place in this University—hee answereth Button publ that hee conceiveth himselfe to bee discharged from the said place of office orator

¹ which which in MS

and doth lay noe clayme thereunto The hoble the Commissioners accepted his answer and declared the Orators in this University to bee voyde

Sethus Ward
S T D^r
Praelect
Astron

comparuit dictus Dr Warde and it beeing demanded upon what title hee holds the Astronomy Readers place in this University hee answered that hee was duely and legally elected thereunto according to the Statutes and orders of the founder thereof, and for prooffe thereof hee exhibited a Certificate of his said election under five of the Electors hands

The board will farther consider

[fo 13r]
Augst 6

Acta etc in Apodyterio die Lunae 6 August 1660 9-12 A.M. presente Greg Ballard

Commissioners present Paul Hood Vice-Chancellor Richus Zouch Robertus Say Timoth Baldwyn Thom Clayton Mart Lluellyn John Houghton Amos Walrond

Dr Joshua
Crosse

Coll Magd Oxon Comparuit et interrogatus by what right or title hee doth clayme and possesse the fellowship in Magd Coll. hee answereth and sayth that hee was put in fellowe there by the authority of the Visitors of this University in the yeare 1648 The Commissioners thereuppon did pronounce and declare that hee was unduely and illegally admitted and decreede him to bee removed from his said fellowship and did then remove him It beeing ffurther objected agst him that hee hath received part of that old gould which was designed by the founder to remaine for a stock to the Colledge hee confesseth that hee had part of that gould about thirty five Spurryals ¹ which hee returned about five yeares since. But hee hath some of the said Colledge money in his hands (viz^t) on the behalfe of his brother Latimer Crosse twenty pounds, and for John Garland his kinsman five nobles, both which summes hee offereth himselfe ready to pay to the said Coll. The Commissioners ordered him to pay the same

Ordo

Ordered by the Board that all such of the said Coll that have received any of the founder's gould should bee compelled to make restitution thereof to the Coll.

[fo 13v]
M^r Hickman

Quibus &c comparuit M^r [blank] Hickman M^r of Arts and beeing demanded by what right and title hee houldeth and claymeth his fellowship in St Mary Magd. Coll in Oxon hee answereth that hee was sent for in Cambridge in the yeare 1648 And was then admitted Demy by the powers of the Visitors of this University then beeing and about halfe a year after hee was admitted fellowe of the said Coll The Commissioners upon this his answare did pronounce and declare that hee was unduely and unstatutably elected and admitted to his demyes and fellowes places in the said Coll and did order and decree him to be removed from his said fellowship and did then remove him from the same. As to the ffounders Gold hee sayth hee had to the value of XXXI^{li}. X^s But hee hath allready restored the same to the Coll use.

Georgius
Porter.

M^r of Arts and fellowe of Magd. Coll in Oxon sayth that hee was brought in demie of the said Coll in the yeare 1642 by D^r Ffruen then President of the said Coll: But was nominated and admitted fellowe of the said Coll.

¹ Spur-royals.

in the yeare 1648 by the then Visitors of this University. The Commissioners accepting his answere did pronounce and declare him to bee unduely nominated and admitted into the said fellowship and there adjudged and decreede him to bee removed and did then remove him.

Being farther demanded whether hee hath any of the founder's gold hee answareth hee hath¹ received a certaine summe of that Gould but precisely what summe hee doth not remember, but whatsoever it was hee hath fully refunded the same.

Theoph Gale Coll Magd Art Mag^r Comparuit et interrogatus by what [fo 14r] right or title hee holdeth his fellowship in the said Coll hee sayth that hee was admitted probaconer of the said Coll in the yeare 1650 and the yeare after hee was admitted fellowe of the said Coll by the power of the then President and fellowes there And hee beleiving hee was borne in Devonshire The Commissioners declared him to bee unduely admitted contrary to the Coll Statute And therefore adjudged him to bee removed from his said fellowship and did then remove him from the same. As to the founder's gold hee sayth hee received 3^l. 5^s. but not in kinde, and hath since refunded the same.

M^r of Arts of Magd Coll sayth that hee was first admitted demie of the said Coll in the yeare 1648 by the order and decree of the then Visitors of this University, and was chosen probaconer in the yeare 1652 by the then President and fellowes, and was the yeare following by them admitted fellowe, and hee sayth that hee is a Leicestershire man borne.

Samuel
Blower

The Commissioners receiving his answere declared that hee was unduely elected and admitted into the said Colledge, and did then remove him.

Of the founder's gold hee sayth hee received m^l but not in kinde, and hath since fully refunded the same to the Coll

Zacharias Mayne M^r of Arts and fellowe of Magd Coll beeing demanded [fo 14v] by what right and title hee holdeth his fellowship in the said Coll sayeth hee was chosen demie of that Coll in the yeare 1651 by the then President and fellowes of the said Coll in the yeare 1652 hee was chosen probaconer, and in the yeare 1653 hee was admitted fellowe by the same power And hee farther sayth that hee was borne in Exeter Com^t Devon The Commissioners receiving this his answere determined to advise farther upon it. Vide Augst Septimo ulteriorem processum Hee never had any of the founder's gold as hee sayth

Quibus &c Comparuit Martinus Hurst and exhibited his proxie for all Magd Coll and singular the persons undernamed beeing respectively fellowes demies Chaplaines Clerk Organist Choristers and servants of Magdalen Coll in Oxon according as they are hereunder described, and made himself proxie for them that is to say for M^r Abraham Fforman Mr Edward Drope Mr Hugh Houlden Mr Edmund Diggie Mr Alexander Fleminge Mr. John Taylor Mr Edward Rogers Mr William Cox Mr. Geo Langton Mr Richard Baskett Mr John Cletherowe Mr. Henry Jones Mr. Nathanael Gyles Mr. John Drope Mr. John Brice & Mr. Henry Yerbury ffellowes respectively

¹ sayth in MS.

of the said Coll Mr Gates Mr Worthington Mr. Searle Sr Noarse Sr Baylie
Sr Collis Sr Stonehouse Sr Drope Willcox Alexander White
Copinger and [blank] Chamberlayne Demies of the said Colledge.

[fo 15r]

Roland Wicholle & Edw Morrey Chaplaines of the said Coll

Mr. Phillips Organist of the said Coll

Mr Stephen Boughton Mr Thomas Smyth Mr Edward Phillips. Clerks
of the said Coll.

Rich Mathewes Thomas Horne Henry Drake Webb Walter Bowring
Choristers of the said Coll.

John Slade Chiefe Cooke

Willm Hearne Second Cooke

John Touchyn Second Butler

Emanuel Heath Groome

Thomas Jeanes sonne of Daniel Jeanes deceased late evicted Butler
and Manciple of the said Coll.

And alledged that the said persons respectively were duly admitted
and for severall yeares quietly possessed of there said severall fellowshippes
and places aforesaid, but since unduely evicted and displaced Wherefore
first humbly prayde that the foresaid persons respectively may bee restored
to their severall conditions in the said Colledge and further—&c

Ordered by the board that speedy course bee taken for such fellowes
demies and other servants and Ministers of Magd that were turned out
as is suggested to bee restored to there respective places out of which
they stand unduely evicted.

[fo 15v]
Augst 6 die
Lunae

Acta &c in Apodyterio 6 August 2-5 P.M. in praesentia Mei Greg.
Ballard

Commissioners present Bishop of Oxford Paulus Hood Richus Zouch
Robtus Say Thom Barlowe Timotheus Baldwyn Thom Clayton Martin
Lluellyn John Houghton Thom Lamplugh Amos Walrond

Mr Brace

Quibus &c Comparuit Johes Brace Coll divini Jo Baptis Artium
Mag^d and the Commissioners having considered his former answare did
pronounce and declare that hee was unduely admitted into and possessed
of his said fellowes^{sp} in St John's Coll And therefore decreed that hee
should bee removed from the same and did then remove him.

Mr Whitwick

Comparuit Mr Whitwick Coll John Bapt Art Mag^r. Simile proviso
cum Mr Brace precedente

Mr Waddon

Comparuit Mr Waddon Coll div Jo Bapt Art Mag^r Simile proviso
cum Mr. Brace precedente

Dr Greenwood
et Dr. Yate

This matter referred for the parties to treate and conferre upon till
Friday peremptorily betweene the houres of eight and nyne in the
Morne

Dr Thomas
Rheade &
Dr. Henricus
Wilkinson

Negotium Concernens Principalitate Quibus. Hirst Exhibuit procurator
praod Witt prius exhibuit

Quod procurator Hirst acceptavit et feret etc. Domini decreverunt
Supersedens in hac causa per decem abhinc dies Monito prius procuratore
dict doctoris Rheade ad proclamandum domino Suo.

Comparuit Dr Tobias Garbrand pretensus Principalis Aul Glocester Oxon quem domini eo instante demiserunt Sed cum monitione quod comparat coram &c cum ad id congrue fuerit requisitus ad videndum ulteriora processum in hac causa [fo 16r]
Dr Garbrand

Domini prorogarunt jurisdictionem Suam in hunc locum inter horas octavam et undecimam proximae diei Septimi viz^t instantis Augst ante meridiem moniti sunt et ibidem Socus et reliquis Membris Coll. Magd Oxon prius citatis ad tunc et ibidem intercedendum ad vidend ulteriorem processum

At which tyme and place Martyn Hirst Bacch^r of Lawe appeared and exhibited his proxie joynntly and severally and accepted the same for all the persons followinge viz^t Will^m Bewe M^r of Arts, James Titchborne Bacch of Laws, Timothy Blinckowe Bacch of Laws, Rob^t Bayneham Rich^d Rowlinson John Dummer John Marshall Thom Ffoulks Roger Higham Bacch^{rs} of Arts St Jo Bap.
Coll vide
proxima
pagina
Colleg^m
Beatae
Mariae
Winton in
Oxon Vulgo
dict Newe
Coll

And alledged that the said parties respectively were duely admitted, and for severall yeares in quiett possession of their severall fellowships in St. Mary Winton Coll vulgo dict Newe Coll in Oxon But were in the yeare 1648 unduely evicted out of their said fellowships. Wherefore Hirst on their behalfe prayed for their severall restitutions. The Board resolved to consider of an expedient for their restitutions

[Same formula] in Apodyterio die Martis 7 August 8-11 A M presente [fo 16v]
me Greg Ballard

Commissioners present Bishop of Oxford Paul Hood Richus Zouch Thom Clayton Timoth Baldwin Thom Barlowe Robtus Say Gualt Blandford Martin Lluellyn Johes Houghton Tho Lamplugh

Quibus &c Comparuit Richus Bayle S.T D^r et Coll. St Johs Bapt Oxon Praesidens and alledged that these persons undernamed viz^t George Wilde D^r of Ll Joseph Crowther Robt Cuffe, John Goad and George Gysbie Bacch^s of Divinity Robert Jennings and Peter Mewe M^{rs} of Arts Thomas Wynnard John Speede and John Blackman Bacch^s of Arts, beeing lawfully and duely elected and admitted fellowes of the said Coll according to the Statutes of their founder. And having beene for severall yeares in peaceable and quiet possession of their said respective fellowships in the said Coll were in the yeare 1648 unduely evicted out of the same by the then pretended Visitors of this University. Wherefore on the behalfe of the foresaid fellowes hee humbly prayeth that they may bee restored to their former rights and interests in their said severall fellowships. And hee farther alledged that whereas there bee three persons viz^t John Brace John Whitwick and William Wadden late pretended fellowes of the said Coll whoe at present stand removed and evicted from their said pretended fellowships by the late decree of this hoble Board. And that there bee at present seven fellowes places voyde in the said Coll which together with the other three make up the expient¹ to accommodate and supply the seven persons first unduely evicted Hee humbly prayeth that the ten fellowes of the said Coll unduely evicted may bee restored and [fo 17r]

¹ Sic expedient ?

received into those ten places at present voyde in the said Coll All which the Commissioners grannted according to the reasonable proposalls It was then farther prayed that in regard there were five scholars chosen in June last from Merchanttaylors Schoole in London for the said Coll whoe cannot as yet bee provided for That it may bee lawfull for the President and the ten Senior fellowes of the said Coll to elect and admitt such of those five Scholars (as were chosen as aforesaid) into their Scholars places in the said Coll in order as such places shall become voyde All which this Board grannted and decreede accordingly

Mr Thackham
S^t Magd Coll

[fo 17v]

Quibus &c Comparuit Thomas Thackham Art Mag^r et Socius pretensus Col S^{rae} Mariae Mag^d Oxon et interrogatus by what right and title hee holdeth his fellowship in the said Coll hee answareth that hee was first brought in fellowe in the yeare 1648 by the then pretended Visitors of this University but afterwards beeing chosen Philosophie Reader in the said Coll by virtue thereof hee had right to a fellowship in the said Coll But hee confesseth that hee continued fellowe upon his first title Whereupon the board did pronounce and declare that hee was unduely and unstatutably admitted into his said pretended fellowship and did order and decree him to bee removed, and did then remove him from the same

As to the ffounders Gould hee confesseth that hee had about XXX^{li} of the same which hee received as a loane from the Coll which hee doth promise to repay soe soone as hee shall bee able, And did then undertake to the board to pay the same by ten pounds a yeare duely.

Mr Sykes C M

Upon information given in by the Senior fellowes and Mr. John Dale an actual fellowe of the said Coll and that beene¹ overtroublesome and factious in the said Coll this board ordered him to bee removed from his fellowship in the said Colledge, and did then remove him.

Mr Nichols
(Mag)
Mr Reynolds
(Mag)
Mr Cowdry
C Mag

ffor beeing both put in by the Visitors in the yeare 1648 and since marryed. This board ordered them to bee removed from their respective fellowships in the said Coll. And did then remove them.

fforasmuch as it was informed to the board and attested by the Senior actuall fellowes of the said Coll that the said Mr Cowdry is a beneficed person having a Coll living above value and is therefore by the Coll. Statute to leave the Coll And for that hee did not appeare. This board ordered him to bee removed from his said fellowship in the said Coll And did then remove him.

[fo. 18r]

Mr Hunt
C. Mag

[No entry]

Mr Dale of
M C

Mr John Dele M^r of Arts and fellowe of Magd Coll. appearing confessed that hee had thirtie peeces of the founder's Gould and wilbee ready to restore the same. The board admonished him to refund the same or to give satisfaction to the Coll.

Mr Spelsbury
M C

A beneficed man in Bromsgrove Com^t Wigorn fower yeare since admitted and chosen fellowe by Dr Goodwyn the pretended President, hee hath beene often moved at by the fellowes of the said Coll But kept in unstatutably by the said Dr. Goodwyn. The board declared that hee was

¹ Sic that he hath beene ?

unduely elected and admitted and is unstatutably possessed of his said fellowship And therefore decreede him to bee removed and did then remove him from the same The board ordered the twelve Senior fellowes of Magd Colledge Oxon that were unduely evicted out of theire fellowships should bee restored and that notice bee given to Dr Oliver the President of such persons of the said Coll as are adjudged to bee removed That such of the said Coll as were unduely evicted out of theire fellowships and other places in the said Coll may bee restored without delay

[Fo 18v is blank]

Acta &c in Apodyterio &c die Mercurii 8 Augst 8-11 A M presente me [fo 19r]
Greg Ballard.

Commissioners present Bishop of Oxford Paul Hood Richus Zouch Robtus Say Gualt Blandford Thomas Clayton Timoth Baldwyn Martin Lluellyn Johes Houghton Thom Lamplugh.

The Boarde pronounced and declared the Orators place for this University of Oxon to bee voyde by the death of Dr. Henry Hamond the last legall and statutable Orator of this University

At which tyme and place appeared John Bolt the pretended Head Cooke of Magd Coll And beeing interrogated by what right he holdeth the said Head Cookes place in Magd Coll hee answareth that the said place was first made voyde by the Visitors of this University in the yeare 1648 by the ejectment of John Slade whoe was till that tyme quietly possessed thereof, and upon such the ejectment of the said John Slade hee the respondent was admitted into the said place by Dr John Wilkinson President of Magd Coll Mr Bolt C M

Upon this his answare the Board declared that hee was unduely and illegally admitted into the said Cookes place in the said Coll and therefore decreede him to bee removed and did then remove him from the same. And did farther declare the said John Slade to bee unduely and unjustly put out of his said Cookes place in the said Coll and did therefore adjudge and decree him to be restored And did then restore him to the same. [fo 19v]

James Cooke the pretended Butler of Magd Coll appeared and beeing examined &c hee answareth that hee was admitted Head Butler of the said Coll in the yeare 1648 by Dr John Wilkinson the then President thereof Daniel Jeanes the former Butler (as was said) beeing then alive but what right or claym hee had to the same place hee knoweth not. Cooke C M

The Board for that it was notoriously known that the said Daniel Jeanes was Head Butler of the said Coll but was illegally removed or suspended from the same did pronounce the said James [Cooke] whoe was chosen in the said Daniell Jeanes his place to bee unquelly and illegally soe chosen and therefore decreed him to bee removed and did remove him from the same.

At which tyme and place appeared Daniel Ffogge and beeing examined hee answareth and sayth that hee was admitted Second Butler of Magd Coll in the yeare 1648 by Dr. Wilkinson then President of Magd Coll in Oxon by order of the then Visitors in the place of [blank]. Ffogge [fo 20r]

The Board declared him to bee unduely admitted &c And therefore decreed him to bee removed from the same place and did remove him from the same.

Ffowler M C

At which tyme and place appeared W^m Ffowler the pretended Groome of Magd Coll and being interrogated hee confesseth that Emanuell then and there present was formerly Groome of Magd Coll But hee being turned out in the yeare 1648 by the then Visitors several persons since have successively enjoyed the same And Dr Goodwyn the late President bestowed the same upon this respondent The Board upon this his answere pronounced him to bee unduely admitted to the same Groome's place And ¹ did decree him to bee removed and did remove him from the same and declaring that the said Emanuell Heath was unduely evicted out of the said place it was decreed that hee bee restored, and hee was then restored to the same

Squier M C

William Squier Second Porter put in by Doctor Wilkinson, referred to the President of the said Coll whether to bee continued or removed, afterwards removed by decree of this board having advised with the President

Mr Philipps

Quibus Comparuit Humfredus Phillips [blank] et soc Coll Magd Oxon and forasmuch as it was by him confessed that hee was admitted fellowe by Dr Goodwyn the pretended President beside severall complaints against him The Board declared him to bee unduely admitted by an unlawfull power And therefore decreede him to bee removed And did then remove him

[fo 20v]
Mr Gyles

Quibus comparuit Nathanael Gyles Art Mag^r Coll Magd Oxon and alledged that hee being lawfully possessed of a fellowes place in the said Coll. was in the yeare 1648 unduely turned out of the same by the then pretended Visitors of this University, this his allegation being notoriously knowne to bee soe The board decreed him to bee restored and did restore him to his fellowship in the said Coll

Mr Avery
M C

Quibus &c Comparuit Richus Avery [blank] Coll Magd Oxon socius and being examined hee confesseth that hee was chosen fellowe of the said Coll in the place of one Mr. Ffish whoe was brought in by the Visitors Domini monuerunt Eum ad comparendum his die et loco hora quarta post meridiem ² ad vidend ulteriorem processum &c. Quibus die hora et loco comparuit Mr Avery et perlecto Statuto de Electione Scholarium in dicto Coll Domini Eum dimiserunt donec Visum fuerit ulterius inquirere.

Mr Ashurst
C M

Quibus &c Comparuit Mr. Samuel Ashurst Art Mag^r Coll Magd Socius et objecto ¹ that hee is in possession of an estate inconsistent with a fellowes place in the said Coll. hee sayth that hee hath not twenty pounds per annum being further interrogated howe hee came in fellowe hee sayth hee was admitted fellowe about eight yeares since by Dr Goodwyn then President and the major parte of the fellowes then being But in whose place hee knoweth not. The Board upon consideration of the whole matter decreed him to bee removed and did remove him.

Mr Cowper

Quibus &c Comparuit Georgius Cooper M^r of Arts of St^t Magd Coll and

¹ and And in MS

² hora quarta post meridiem hora quarta in MS

beeing examined sayth that hee was admitted Demy by Dr Goodwyn President there about six yeares since and was afterwards by him admitted fellowe according to the usage of the said Coll

Monit ad intercedendum hora quarta post meridiem ad vidend ulteriorem processum

Quibus &c Comparuit Thom Palmer and alledged that hee was admitted fellowe of Magd Coll. in the yeare 1653 in the place of one Mr Rymell an ancient fellowe resigning [fo 211]
Mr. Palmer
C M

judiciate monit ad intercedendum hora quarta his die et loco.

Quibus &c Comparuit Gulielm^s Sagary ex aede Xti Oxon Alumnus et Art Mag^r et interrogatus by what right hee holdeth his said Student's place hee answareth that hee was admitted Student in the yeare 1648 authorized by Dr Reynolds then Deane of Ch^t Church Mr Sagery
C Ch

Monit ad comparendum &c hora quinta post meridiem instantis diei

Quibus &c Comparuit dominus Mr Sagary and the Commissioners having considered his former answare did declare that hee was unduely brought in and therefore decreede him to bee removed, and did then remove him.

Quibus &c Comparuit Antonius Radcliffe Ædis X^{ti} alumnus Art Mag^r et interrogatus respondet that hee was admitted Student of Ch Church in the yeare 1648 by the then pretended Visitors of this University Mr Radcliff
C Ch

Domini accepto responso decreverunt deliberandum

Quibus &c Comparuit Esaiiah Ward Mr of Arts and beeing examined sayth that hee was chosen of Chr. Church and admitted in the yeare 1648 by Dr Reynold then Deane of Chr Church but without any order from the then Visitors, nor did hee make any addresse unto them Mr Ward
Esaiiah C Ch

Domini accepto ejus responso decreverunt deliberandum.

Quibus &c Comparuit Mr Nathanael Hodges ex Æde X^{ti} Art Mag^r et interrogatus dicit that hee was admitted Student in Chr Church by virtue of an order from the Committee at London in the place of one Samuel Speede formerly a Student there Mr Hodges
[fo 21v]

Domini accepto ejus responso decreverunt deliberandum forasmuch as it was attested that Henry Stubbs Mr of Arts and pretended Student of Chr Church was unduely brought in Student there by Doctor Reynolds the pretended Deane there and many complaints of his carryadge The board adjudged him fitt to bee removed and did then remove him from his said Student's place. Mr Stubbs

[There follow some blank lines]

Acta &c in Apodyterio die Mercuri 8th August 4-5 P M presente me Greg Ballard

Commissioners present Bishop of Oxford Tho Lamplugh Martin Lluellyn Paul Hood Rob^t Say Jo Houghton Richus Zouch Thomas Clayton Th. Lamplugh

Domini decreverunt Mr Jacobum Theol Praelect in Coll: Magd. et M [blank] Price Archididascalum citandum ad comparendum nono instante hora nona ante meridiem em^t citato Mr Baron
M C

[fo 22r]

Acta &c in Apodyterio die Jovis 9th August 9-11 A.M. presente me Greg Ballard nomina Commissionar in fine hujus Sessionis

Mr Barron
M C

Quibus &c Comparuit Jacobus Baron Art Magr Coll Magd Praelector¹ Sacr Theol ibidem et interrogatus whether hee bee or was fellowe of Magd Coll hee answareth and sayth that hee is not fellowe at present But was nominated and admittted fellowe there in the yeare 1648 by the then Visitors of this University And beeing fellowe hee was admittted Divinity Reader in the said Coll in the yeare 1652 beeing elected thereunto by Doctr Goodwyn then President of the said Coll. in the place of Mr Williamson then deade

Domini pronunciarunt Eum indebite electum per pereonam illegalem et adjudicarunt eum amovendum prout tunc amoverunt et decreverunt intimacione faciendam Coll ad eligendum novum praelectorem in Theol ibidem Em^t intimacio

Collyer

Quibus &c Comparuit W^m Collyer And alledged that hee beeing statutably elected and admittted Butler in Pembr Coll was in the yeare 1648 unduely turned out by the then pretended Visitors of this University and that one George Price doth possess the same Which said George Price confessed that hee was put into the same place by Dr Langly the reputed Master there The board declared for the right and title of the said Collyer, and that the said Price was unduely brought in and ought to bee removed and did then remove him, and restored the said W^m Collyer to the said Butler's place

[fo. 22v]
Harding

Quibus &c Comparuit Will Harding & alledged that hee beeing lawfully chosen Heade Cooke of Exeter Coll in Oxon about 4 yeares since was in quiet possession thereof for many yeares till in the yeare 1648 hee was then turned out by the then pretended Visitors And one Antony Sett was then by them putt into his place. Anthony Sett then appearing confessed that hee was brought into the same place by the said pretended Visitors.

Sett

The board declared the said Antony Sett unduely to bee admittted to the said place and the said W^m Harding to bee unjustly evicted and therefore they did remove the said Antony Sett from the said Head Cooke's place. And restored the said William Harding to his former right in the said Cooke's place.

Gregory

Richard Gregory Head Butler of Queenes Coll after eight yeares quiet possession evicted by the pretended Visitors in the yeare 1648 and one John Cornelius by the same power put into his said place.

By order of this board the said Cornelius is removed And the said Rich Gregory restored to his former right in the said Butler's place

Seumor

Thomas Seymour for severall yeares Manciple of C.C.C. was in the yeare 1648 turned out by Dr. Staunton the pretended President according to a pretended order of the then Visitors. Ordered by the board that hee bee forthwith restored to his said Manciples place.

¹ *Socus et* (before *Praelector*) erased

Wells the Butler of C.C.C. removed beeing unduely admitted the nomination of a new Butler reserved to Dr Newlyn whoe nominated [blank] Man whoe was allowed and approved by the board

Wells
Man
Emt order
Man
[fo 23r]
Newlyn

At which tyme and place appeared Robert Newlyn and alledged that hee beeing legally and duely seized of the Steward's place in C C C. was unduely turned out of the same by the pretended Visitors in the years 1648 and one Mr. Thomas Rowney at present posseseth the same which said Thom Rowney appearing denyed that by Statute there is any Steward's place in the said Coll but they may choose whome they please and when they please But hee declaring himselfe not willing to contend submitted to the board Ordered by the board that Robt Newlyn bee restored to the same place of Stewardship in the said Colledge out of which hee was evicted by the pretended Visitors

Roger Fry appeared and alledged that hee beeing lawfully possessed of the Head Butlers place in Oriel Coll. was unduely turned out of the same in the yeare 1654 by a pretended order procured by one Thomas Newman who was by virtue thereof made Butler of the said Coll and doth now unjustly possesse the same their petitions on both sides beeing read The Board did pronounce for the right and title of Roger Ffrye to the said Butlers place and did decree the said Thomas Newman whoe was unduely and illegally brought into the same to bee removed and did then remove him And adjudged that Roger Ffry whoe was unduely evicted out of the said Butler's place to bee restored And did then restore him to the same

Fry

Quibus &c Comparuit Owenus Price and alledged that hee is not Schoolemaster of Magd Coll Schoole in his owne right but in the right of Mr White

[fo 23v]
Mr Price

Domini decreverunt doctore Oliver consulend super hac re

William Adams the Head Cooke of C C C confessing that hee was brought in to the same place by the pretended Visitors in the yeare 1648

Adams

Ordered by the Board to bee removed and he was removed And with the approbation and comendation of Doctor Newlyn the President of the said Coll Richard Price was nominated the Head Cooke of the same Coll: and was admitted to the same

This board did declare that [blank] Hawes was unduely brought in to the Second ¹ Cookes place in the said Colledge. But left him to the discretion of the President of the same Coll.

Hawes

At which tyme and place it was ordered that Thomas Bowden whoe was turned out of his porter's place by the pretended Visitors in the yeare 1648 [no further entry. Was restored ²]

Bowden

Thomas Welsh alledgeth that after hee had been five yeares in legall and quiet possession of the Cherfe Cookes place in Trinity Coll hee was unduely turned out in the yeare 1648 by the then pretended Visitors & one Thomas Lane put in his place by Dr. Harris the pretended President

Welsh

Ordered that the said Thomas Welsh be restored to the Head Cookes place, and Thomas Lane to bee Second Cooke in the said Coll:

Lane

¹ Written after erasure of *Head*

[fo 24r]
Mr Lovell

Quibus comparuit Robertus Lovell Alumnus Ædis X^{ti} et interrogat &c respondet that hee was chosen Student by Dr. Rogers one of the Canons of that Church. And admitted by the then reputed Deane & Canons.

Judicate monit ad comparendum hoc loco die Veneris XX circa horam tertiam post meridiem.

Mr Skinner

Quibus &c Comparuit [blank] Skynner Med doctor Ædis X^{ti} Alumnus. And alledged that hee did depart this Kingdome in the yeare 1648 to avoyde the power and censure of the then pretended Visitors and was in his absence evicted out of his Students place, and humbly prayeth for restitution

Domini decreverunt deliberandum.

Mr Stratton

Ordered by this board that Mr [blank] Stratton a pretended Chaplaine of Ch. Church bee removed and that Mr Rich Washborne a former Chaplaine whoe was turned out by the pretended Visitors bee restored to his Chaplaines place in his roome.

It being manifested to this board that these parties undernamed beeing respectively Students of Chrstchurch duely admitted according to Statute and Custome, after severall yeares quiet possession were in the yeare 1648 turned out of there s^d Students places this Board upon their petitions ordered them to bee restored viz^t

Em^r Warrant
eor restitutum
[fo 24v] nomina Alumnor praedict reſtitutorum Christof Bennell art Mag^r
[blank] Howe art Mag^r Georg Smyth art Mag^r Gualt Dayrell art Mag^r
Sam Jackson art Mag^r Richus Hill art Mag^r

Upon notice given to this Board that many of the fellowes of severall Colledges which were unduely evicted out of there respective fellowships in the yeare 1648, and since, were then alsoe turned out of this University and made incapable of the priviledges thereof And consequently of taking there degrees in there due tymes. Soe that many that were there juniors, whoe either have complied with the then Visitors, or have since the said Visitation beene admitted taking there degrees with the best advantage of tyme, have gayned Seniority of those which were many yeares before them in standing.

It was declared to bee the sense of this board that in regard the parties soe evicted as before were ¹ not by any default or demerit of there owne but meerey by the iniquity of those tymes hindered from taking of there degrees in there due tymes That it should not arise any way to there prejudice But that such fellowes and other persons as are nowe restored by this hoble Board to there former places shall enjoy the same in the same order and degree of Seniority as they were at the tyme of there eviction, or should have beene if those tymes had not obstructed. And this order to extend in generall to those persons, which nowe are or hereafter shall bee restored by this Board

Commissioners present Bishop of Oxford Paulus Hood Rich Zouch Thom Barlowe Robtus Say Gualte Blandford Thom Clayton Timoth Baldwyn Johes Houghton Amos Walrond

¹ Written over erasure of *did*

Acta &c in Apodyterio &c die Veneris 10th August 3-6 P.M. in presentia [fo 25r]
mei Greg Ballard

Commissioners present Bishop of Oxford Paulus Hood Richus Zouch
Thom Clayton Timoth Baldwyn Thomas Barlowe Robtus Say Gualt^s
Blandford Johes Houghton Amos Walrond

Quibus &c Comparuit Mr Johes Newton Sac^r Theol Bacch et allegavit Mr Newton
that hee beeing duely and statutably a fellowe of Brasennose Coll in Oxon
was unduely & illegally put out of the said fellowship in the yeare 1648
by the then pretended Visitors of this University for which he prayed
releife

Domini Commiss pro quod notorie innotuit allegata per eum esse vera
decreverunt eum restitutum et tunc et ibidem restituerunt

Citatus personale per Henric David Bedellum die pronota ad compar- M Bruen
endum his die hora et loco

Domini pronunciarunt eum contumacem in non comparendo, et in
poenam contumaciae Mr Johes Houghton nunc Commissionar produxit
quoddam Ponsum¹ per eum datum coram Commissionar honoratissimi
domini² Cancellari hujus Universitatis 22^d die Mensis Junii Anno dñi
1660. Domini inspecto ejus Ponso et eis quibusdam gerentibus dat nono
die Augst Anno dñi 1660 publice perlecto, et ob alias Causas allegatas
pronunciarunt eum indibite et illegaliter admissum et electum et decre-
verunt eum amovend prout tunc et ibidem amoverunt

They both appeared and nothing beeing alledged as to the merrits of Dr
this cause more than was formerly professed The Commissioners did declare Greenwood
that doct^r Greenwood was unduely and unstatutably elected and admitted Dr Yate
Principall of Brasenose Coll and therefore decreede him to bee removed
from the Principalls place And did then [remove him?]. And did farther
decree that Mr. Thom Yate bee admitted Principall of the said Coll in regard
hee hath a more legal and statutable title thereunto

Quibus comparuit dñ Mr Lovell Alumnus Ædis X^{ti} et ponso precedente Mr Lovell
perlecto Domini pronunciarunt eum indebite admissum &c et decreverunt
eum amovendum prout tunc et ibidem amoverunt.

Adams by the approbation of Dr Newlyn admitted Second Cooke of
C.C.C.

Comparuit Stephan Skinnar Med doct^r et perlecta allegans Sua precedent Dr Skynner

Domini decreverunt eum restituendum et tunc et ibidem restituerunt

Quibus &c comparuit Mr. Avery Socius C Magd Oxon et perlecto ponso Mr Avery
precedente Domini pronunciarunt eum indebite et contra Statut dict Coll
admissum et decreverunt eum amovendum &c et tunc et ibidem amoverunt

Quibus comparuit Georgius [Cooper] C. Magd socus art Mag^r et perlecto Mr Cooper
ponso ejus precedente Domini pronunciarunt eum indebite contra Statuta
dict Coll admissum fuisse Socium et decreverunt eum amovendum et tunc
et ibidem amoverunt &c.

Quibus &c comparuit Mr. Cruckenden fellowe of Magd Coll &c and beeing [fo 26r]
interrogated sayth that in or about the yeare 1648 hee was brought in demy Mr
Cruckenden

¹ I.e. *responsum*

² *domini domini* in MS.

of the said Coll^y by the then Visitors of this University And in the yeare 1654 hee was admitted fellowe of the said Coll^y by Dr. Goodwyn then President of the said Coll^y Domini decreverunt deliberandum

Augst 11^o
1660

Acta &c in Apodyterio die Sabb 11 August A D 1660 9-11 A M presente me Greg Ballard

Commissioners present Paulus Hood Richus Zouch Rob^{tus} Say Thom Clayton Timoth Baldwyn Thom Lamplugh Amos Walrond

Mr. Wroth

Quibus comparuit Mr Wroth et sponte dixit that hee is a Chaplaine of Magd Coll in Oxon but hee is willing to leave his Chaplaine's place and to depart from the said Coll

The Commissioners accepting this his proffer ordered him to bee removed, and did then remove him and soe dismissed him

Mr Byfeild

Quibus comparuit Mr. Richus Byfeild dismissed till farther order

Mr. Gunter

Quibus &c Mr. Humfry Gunter M^r of Arts and fellowe of Magd Coll in Oxon not appearing for that it appeareth that hee was unduely admitted fellowe &c and that hee doth withdraw himselfe from undergoing this Visitation The board decreede him to bee removed &c.

[fo 26v]

Mr. Gypp

Mr John Gypp Chaplaine of Magd Coll sayth that hee was brought in Chaplaine there by Dr Goodwyn then President about 3 yeare since But hee was not willing to officiate in the said place. The Commissioners in regard hee was unduely brought in Chaplaine and is not willing to performe the duty of the place decreede him to bee removed & did then remove him.

Mr. Gilbert

Mr. Willm. Gilbert Chaplaine of Magd. Coll sayth that hee was admitted Chaplaine fower yeares since by Doct^r Goodwyn then President there But sayth that hee shall not bee willing to performe the duty of that place.

Domini accepto ejus ponso declared that hee was unduely brought in Chaplaine, and beeing not willing to performe the duty of the place, hee ought to bee removed from the same, and they did then remove him.

Mr Kentish
Kentish

Mr. James Kentish Chaplaine of Magd Coll appeared and beeing interrogated &c hee sayth that hee was brought in Chaplaine by Dr Goodwyn about three yeares since

The Commissioners decreed him to bee removed as as beeing unduely admitted But gave him tyme to consider whether hee will receive holy orders, and performe the duty of a Chaplaine's place in the said Coll. according to the Statutes and Customes there. And suspended the execution of this theire decree for a weeke.

Dr Yeybury
M. Brice
Mr Drope
M Exton

Ordered that Dr. Henry Yeybury Mr John Brice Mr John Drope and Mr. [blank] Exton, whoe beeing probationers of Magd Coll were unduely evicted in the yeare 1648 bee restored unto the full rights of actual fellowes according to theire seniority.

[fo 27r]

Mr. Brent

Quibus &c Comparuit Rogerus Brent art Mag^r And alledged that hee beeing fellowe of Merton Coll: in Oxon by a Statutable election after severall yeares of quiet possession thereof was in the yeare 1648 ¹ unduely turned

¹ was repeated in MS. after 1648.

out of his said fellowship by the then Visitors of this University for which hee humbly prayeth releife

The Commissioners declared him to bee unduely turned out of his said fellowship And did therefore declare him to bee restored, and did then restore him to the same

Dr Thom Rheade reserved for ten days

Dr Rheade
Pembr Coll

A petition beeing read which was preferred by the fellowes of Pembr. Coll Oxon It was ordered that Dr Barlowe the Provost of Queenes Coll. Dr Say, the Provost of Oriell Coll Dr. Blandford the Warden of Wadham Coll Dr. Baldwyn and Mr John Howton five of the Commissioners or any three of them should bee impowered and they were then authorized by this board to examine and enquire concerninge the suggestions of the said fellowes petition and theire joint and respective grievances, and upon due examination had, to make report to this board, to which said authority the foresaid five Commissioners accepting in forme of a Subcommission.

Acta &c in Apodyterio die Lunae 13 August A.D. 1660 [no times given] [fo 27v] present me Greg. Ballard

Commissioners present Paul^s Hood Richus Zouch Guelter^s Bland (*sic*) Thom Clayton Thom Lamplugh Amos Walrond

Ordered by the Board that the persons undernamed whoe beeing demyes of Magd Coll in the yeare 1648 and were then turned out by the then pretended Visitors of this University should bee restored to theire respective demyes places in the said Coll and they were then restored

Walter Stonehouse George Alexander Ffranc Drope Will^m Baylie Tho^r Wilcocks John White

Quibus &c Comparuit Rich^r Sherwill et interrogat respondet that hee beeing a Devonshire man borne was admitted demy of Magd Coll. in the yeare 1653 by Mr Baron the Vice-President there The Commissioners receivng this his answare did declare him to bee unduely elected and admitted and did decree him to bee removed from his said demys place and did remove him from the same. Mr Sherwill

Quibus &c Comparuit Thomas Hoskin et interrogat respondet that hee beeing a Devonshire man borne was about seven yeares since admitted demye of Magd Coll by Dr Goodwyn then President there. The Commissioners upon such his answare declared him to bee unduely and unstatutably admitted and decreede him to bee removed and did then remove him from his said demyes place. [fo 28r] Mr. Hoskin

Quibus &c Comparuit Mr. Daniell Houghton et interrogat pondet. That hee beeing a Buckinghamshire man borne was about three yeares since, elected and admitted demy of Magd Coll: by Dr. Goodwyn then President there. Mr Houghton

The Commissioners upon this his answare pronounced him to bee unduely elected and admitted into his demyes place And decreede him to bee removed and did then remove him from the same.

Quibus &c Comparuit Mr. William Hunt and confessed that hee was elected demy by Dr. Goodwyn in the yeare 1654. Mr Hunt

The Commissioners for that it did appeare that hee was first admitted Chorister in the said Coll, in the place of one that was evicted in the yeare 1648 by the Visitors And for that his immediate predecessor was admitted demye in the place of one that was turned out by the said pretended Visitors decreede him to bee removed from his demyes place, and did then remove him from the same.

[fo. 28v]

John Cane Bacch^s of Arts and demy of Magd Coll sayeth that hee was elected and admitted demy about 5 yeares since by doct^r Goodwyn then President and the fellowes of the said Coll Domini eum demiserunt cum monitione that hee live regurereley [*sic* regularly ?] in the Coll and conformable to the founders Statutes. Robert Yeomans Bacch of Arts and demy of Magd Coll sayth that hee was elected and admitted demy by Dr. Goodwyn the President at the nomination of one Mr Byford Deane of the said Coll

Domini pronunciarunt eum indebite admissum But upon the good report they heard of him and in hopes of his conformity they dismissed him for the present.

John Crutch, a Sussex man borne elected and admitted by Doct^r Goodwyn the pretended President about a yeare since declared to bee unduely elected and decreede to bee removed was then removed.

Thomas Trappam Bacch^r of Arts and demy of Magd Coll sayth that hee was elected and admitted demy in the yeare 1654 by one Mr. Plume then Vice President of the said Coll The Board declared him to bee unduely admitted and decreede him to bee removed &c and did then remove him

Meore Fortune Bacch of Arts sayth hee was put in in the yeare 1656 by Dr. Goodwyn &c. Monit ad Comparendum cum requisitus fuerit ad videndum ulteriorem processum.

[fo. 29r]

Acta &c in Apodyterio die Lunae 13th August 3-6 P.M presente me Greg Ballard

Commissioners present Rob^{tus} Saye Gualter Blandford Thoma Clayton Timoth Baldwyn Tho Lamplugh Amos Walrond

Jo. Duncombe

Quibus &c Comparuit J^{ohes} Duncomb Coll^l Oriell art Mag^r and alledged that hee was many yeares since legally and statutable elected and admitted fellowe of Oriell Coll in Oxon, and was for severall yeares in peaceable and quiet possession of the same place and the profitts thereof untill the yeare 1648 at which tyme hee was unduely evicted out of his said fellowship by the then pretended Visitors of this University. Wherefore hee prayeth releife and restitution to his said fellowship for this hoble Board Whereuppon the Commissioners decreede him to bee restored to his said fellowship. But with the consent of the said Mr. Duncombe referred the execution of this theire decree to the discretion and managing of Dr. Say the Provost of the said Coll

Hen
Chamberlaine

It was at the same tyme and place alledged on the behalfe of Mr. Henry Chamberlaine, a fellowe of Oriell Coll. whoe was turned out by the then pretended Visitors in the yeare 1648.

Whereuppon hee was ordered to bee restored. But the execution

thereof referred to the provost &c as in the precedent Act concerning Mr John Duncombe

Mr. Sam Carter Mr of Arts and fellowe of Oriel Coll^r sayth that hee [fo 29v] was elected and admitted fellowe of Oriel Coll in the yeare 1653 by the power and order of the then pretended Visitors of this University And submits himselfe.

Upon which his answare the Board pronounced and declared him to bee unduely elected and admitted to the said pretended fellowship. And decreede him to bee removed, and removed him from the same

Mr Humfr Gunter M^r of Arts and fellowe of Magd Coll then and there appeared and beeing interrogated confessed that hee was present when the generall Citation of the Visitors was sett upp and published in the University But hee then went forth of Towne The Commissioners thereuppon confirmed theire former decree of the 26th of this instant.

Mr. John Brett Mr of Arts and fellowe of Magd Colledge beeing interrogated answareth that hee was a Sussex man borne, and elected fellowe &c about twoe yeares since Dr Goodwyn beeing then President Dismissed till farther order

Mr Ashurst of Magd Coll &c forasmuch as hee hath been legally cited, and does not appeare. The Board according to the former order, having his answare openly read, decreede him to bee removed, and did then remove him

Comparuit et interrog^{ts} by what right or title hee claymeth the Stewards place in Magd Coll hee sayth that hee was chosen and admitted into the said place, by Dr. Goodwyn the reputed President of the said Coll: Mr Elisha Cole

The Board agreed &c declared that hee was unduely elected and admitted, and decreed him to bee removed and ordered intimation to bee given to the Coll. of such his removall.

Thomas Smyth M^r of Arts appearing alledged that hee beeing lawfully [fo 30r] and statutably elected and admitted into a Clerks place in Magd Coll^r was for severall yeares in peaceable possession thereof till in the yeare 1648 at which tyme hee was evicted out of his said Clerks place by the then pretended Visitors of this University, for which hee prayed releife. Ordered by the board that hee bee restored. And hee was then restored.

Comparuit Solodell Leichfeld legatus et unus Bedelles hujus Universitatis et exhibuit procurator praedicto Stephano Bowden and alledged that the said Stephen beeing possessed of a Clerks place in Magd Coll was in the yeare 1648 turned out of the same by the then pretended Visitors of this University, for which hee prayeth releife for and on the behalfe of the said Stephen Bowden Ordered by the board that hee bee restored, and notice thereof bee given to the Coll^r Mr Stephen Bowden

Em^t intimacio.

James Pearson Bacch of Arts and Clerk of Magd Coll sayth that hee was admitted Clerke in Augst about a twelvemonth since by R^r. Goodwyn the then reputed President of the said Coll. Beeing interrogated how longe since hee began to preach hee sayth about twoe yeares since, beeing

farther interrogated whither hee bee in holy orders, hee answareth that hee is not The board declared that hee was unduely elected and admitted into his said Clerks place, and decreede him to be removed, and did then remove him.

[fo 30v]

Daniell Oxenbrigg Bacch of Arts and Clerke of Magd. Coll. sayth that hee was admitted Clerke &c in Augst about a yeare since by Dr. Goodwyn then President &c And beeing asked whither hee come to Coll. prayer hee answareth that yet hee hath not, by reason, as hee sayth, he is not persuaded of lawfulnessse of them

The Board declared him to bee unduely elected and admitted, and decreed him to bee removed and did then remove him

Josephus Cressett borne beyond the seas and admitted by Dr Goodwyn President, yet in regard hee doth frequent Coll prayers dismissed till farther order.

[The rest of the page is blank.]

[fo 31r]
Augst 14

Acta &c in Apodyterio die Martis 14th August A.D. 1660 9-11 A.M. presente me Greg Ballard

Commissioners present Bishop of Oxford Richard Zouch Thom Clayton Thom Barlowe Gualter Blanford Tho Lamplugh Amos Walrond

Fforasmuch as it was made to appeare that there were ten fellowes of Newe Coll. unduely evicted that were then to bee restored vizt Mr. Bew Mr. Titchbourne Mr. Blincowe Mr Rowlandson Mr Bainham Mr. Complyn Mr. Dummer Mr Ffowkes Mr. Marshall Mr. Higham

[fo. 31v]

It was then ordered that all the said parties Mr. Complyn only excepted (of whose condition this board would farther consider) should bee restored And upon removall of such fellowes unduely admitted as should make roome for those that should bee restored it was by the senior fellowes of the said Coll. then proposed that those fellowes that should bee removed as aforesaid upon the recommendation of this hoble board might bee soe received to the said Coll. that for twoe yeares beginning at Michaelmasse next in case they or any of them could procure a Resignation from any of the statutable fellowes, they shal bee in a capacity to retorne to their fellowships, or to some voyde fellowship in the said Coll. Provided that the Warden and the major part of the thirteene Seniors shall judge them capable and fitting for the said resignation and favour.

Magd. Coll

The hoble the Commissioners accepting this the proposall of the said fellowes ordered to deliberate of an expedient to conclude this businesse.

Ordered by the Board that Mr. Abraham Forman Senior fellowe of Magd. Coll doe officiate the place of the Vice President of the said Coll: untill such tyme that Dr. Oliver the President there bee of strength and ability of body to call a Collegiate meeting and to make a statutable election of a Vice President there.

William Budd Bacch of Llaws and fellowe of Newe Coll: sayth that hee beeing first upon the Roll in Winchester, was statutably as hee considereth elected and admitted into the Society of Newe Coll. in the place of one Edward Standley an ancient fellowe deceased.

Monitus fuit ad comparendum die veneris prox 17th Augst circa horam quartam P M ad videndum ulteriorem processum

Thom Musprat Civilis and fellowe of Newe Coll. sayth that hee came into Newe Coll by election from Winchester in the place of one Mr. Lyster whoe came in the place of one Dr Standley, whoe was evicted by the then Visitors &c in the yeare 1648

Monitus fuit ad comparendum die veneris prox circ horam 4 P.M ad vidend ulteriorem processum &c

Josephus Allyn Ll Bacch et Novi Coll Socius sayth that hee was chosen into Newe Coll from Winchester in the place of one Mr Wills, a newe fellowe And was brought in by the Visitors in the yeare 1648 The Board upon this his answare declared him to bee unduely elected and admitted &c And decreede him to bee removed from his said pretended fellowship, and did remove him from the same

And ordered that intimation bee given to the Coll of such his removall
Em^t

Jacob^s Olfeld Art Bacch et Coll Novi Socius sayth that hee was admitted into Newe Coll about five yeares since from Winchester Schoole in the place of one Mr Banister whoe was brought in fellowe of the said Coll by the then Visitors of this University in the yeare 1648

Nathanael Johnson Art Bacch et Novi Coll Socius sayth that hee was admitted into the said Coll fellowe about fower yeares since Beeing elected from Winchester in the place of one Mr. Johes Johnson whoe was brought in fellowe of the said Coll by the then Visitors of this University in the yeare 1648.

Monit ad comparendum die Veneris prox 17^o viz^t instante circa horam quartem P M ad vidend ulteriorem processum &c

Gul Carpender Art Mag^r Praelector publicus in morali Philosophia. Reservat in hos dies horam et locum facta pro eo diligent inquisitione et non comparente. [fo 32v]

Domini pronunciarunt eum contumacem &c Sed reservat est ejus poena in 17^o August circa 3 P M Con^r Certono in eundem &c.

[The rest of the page is blank]

Acta &c in Apodyterio die Martis 14^o August A.D 1660 3-6 P.M in praesentia mei Greg Ballard [fo 33r]
Augst 14^o

Commissioners present Bishop of Oxford Paul^s Hood Richus Zouch Timoth Baldwyn Thom Barlowe Robtus Say Jo Houghton Amos Walrond

Ludovicus du Moulyn Med D^r et Historiae Praelector publicus in Universitate Oxon comparuit &c

The hõble the Commissioners perusing his former answares And the order of the Committee by which hee claymed beeing openly read. The Board declared him to bee unduely elected and admitted into the said Historie Readers place, and decreed him to bee removed and did remove him from the same. But upon his petition, it was ordered and decreed that hee should receive the whole next Michaelmasse rent due to the History Reader in this University.

Obediah
Walker

Comparuit et alledged that hee was unduely and illegally turned out of his fellowship in University Coll^r by the pretended Visitors in the yeare 1648, having enjoyed his said fellowship peaceably and quietly for ten yeares before. And therefore hee humbly prayeth that hee may bee restored to his said fellowship

Domini decreverunt eum restituendum et restituerunt &c

[fo 33v]
Thomas
Radcliffe
Abraham
Woodhead

At which tyme and place appeared Martyn Hirst and exhibited his proxy for the said Mr Thomas Radcliffe and Mr Abraham Woodhead M^{rs} of Arts and fellowes of University Coll in Oxon and made himselfe partie for them and alledged that the said M^r Radcliffe and Mr Woodhead were rightly and duely elected and admitted fellowes of the said Coll, and for divers yeares were in quiet possession of theire respective fellowes places there But since they have been unduely evicted out of the same. Wherefore Hirst on theire behalfe humbly prayde that the said M^r Radcliffe and M^r Woodhead may bee restored to their said fellowships and there former conditions in the said Coll

The Board freely graunting did restore them the said Mr. Radcliffe and Mr Woodhead to theire former respective fellowships

Edw Farrar M^r of Arts et fellowe of University Coll. sayth that hee was brought in fellowe of University Coll. upon the death of Mr. Rich. Washington an ancient fellowe there.

The Commissioners accepting this his answare dismissed him for present with monition that hee appeare to see farther proceedings when hee shalbee duely required thereunto.

Edw Anderson M^r of Arts sayth that hee was chosen fellowe of University Coll. in the yeare 1654 by the then President there in the place of one Mr. Jennings then dead. hee the Pondent beeing a Northumberland man the onely statutable man to bee elected

The Commissioners accepting this his answare monished him to appeare &c when hee shalbee thereto required

[fo. 34r]

Willm Shippon M^r of Arts sayth that hee came in fellowe of University Coll by election of the the Master and fellowes there about a year since. Dismissed till farther order

Richard Griffith M^r of Arts of University Coll. sayth that hee was brought in fellowe of the said Coll by the then Visitors of the University in the yeare 1654 in the place of Mr. Watkins a late fellowe then dead Dismissed till farther order.

Gul: Terry M^r of Arts of University Coll unduely brought in fellowe whoe hath beene absent five yeares, not appearing. Decreede to bee removed and was then removed.

Sampson Eaton fellowe of University Coll unduely brought in fellowe and absent for halfe a yeare Decreede to bee removed and was then removed.

Gulielm Powell fellowe of Newe Coll sayth that hee was legally chosen from Winchester Schoole into Newe Coll beeing first upon the Roll. Monit ad comparendum his &c Crastino mane ad vidend ulteriorem processum.

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Thomas Thackham Bacch of Arts and fellowe of Newe Coll sayth that hee was chosen out of Winchester Schoole into Newe Coll about five yeares since, into the place of one Dr Vivian an old fellowe beeing then voyded.

Monit ad comparendum die crastino circ horam octavam mane ad vidend ulteriorem processum

Nicholas Blake fellowe of N.C. sayth hee was admitted into Newe Coll: in the yeare 1656 in the place of one Thomas Butler, whoe came in fellowe of the said Coll in the place of one John Hutton an ancient fellowe deceased. Deliberandum

Thom Ryves fellowe of Newe Coll sayth that hee was admitted into the said Coll about six yeares since beeing chosen into the place of one Mr Robert Jones whoe had voyded the same by resignation. Domini decreverunt deliberandum.

[Fo 34 v is blank]

Acta in Apodyterio prope domum Congregationis Universitatis Oxon [fo 35r]
die Mercuri 15th August A D 1660 presente me Greg Ballard. Augst 15^o

Commissioners present Bishop of Oxford Paul^s Hood Gualter Blandford Amos Walrond Tho Clayton Tim Baldwyn Johes Houghton

Mr Gulielm Carpender &c Reservat in diem Mercuri proximam posterae Septimanae

Acta &c in Apodyterio &c die Mercuri 15th August A D 1660 2-7 P.M. Augst 15^o
presente me Greg Ballard Commissioners present

[as above]

Edmund Davis M^r of Arts and fellowe of Exeter Colledge sayth that [he] was brought in fellowe by the permission of the late Visitors. But by reason of the testimony that is given of his ingenuous and honest conversation the Board acquitted and dismissed him

John Saunders M^r of Arts pretended fellowe of Exon Coll not appearing [fo 35v]
and for that it was made to appeare that hee was brought in by an order of a Committee contrary to the Coll Statutes This board ordered him to be removed, and did remove him

Abraham Batton M^r of Arts and fellowe of Exeter Coll absent Brought in by the Visitors Ordered to bee removed.

John Proctor Bacch of Divinity appeared and alledged that hee statutably possest of a fellowship in Exeter Coll was illegally turned out of the same in the yeare 1648 by the then pretended Visitors of this University for which hee prayed releife

The board thereupon order him to bee restored.

John Conant M^r of Arts and fellowe of Exeter Coll brought in by the Visitors in the yeare 1648, but in regard of the Testimony of his good behaviour This Board dismissed him for present.

Edmund Fidoe M^r of Arts and fellowe of Exeter Coll. sayth that hee is Chaplaine and fellowe of Exeter Coll chosen in by the Rector and fellowes of the said Coll Hee hath enjoyed his Chaplaines place heere five yeares, and confesseth hee is not in holy orders. This board ordered (in regard

hee refused to performe the duty of his Chaplaine's place according to the Coll. Statutes) that hee bee removed from the same, but suspended the execution of their said order till Saturday next

[fo 36r]
Augst 16

Acta in Apodyterio &c die Jovis 16th August A.D. 1660 9-12 A.M. presente me Greg Ballard

Commissioners present Bishop of Oxford Richus Zouch Thom Barlowe Robt Say Tim. Baldwyn Thom Clayton John Houghton Thom. Lamplugh Amos Walrond

Josh Howe comparuit et alleg^t that hee beeing a Statutable and lawfull fellowe of Trinity Coll was in the yeare 1648 evicted by the then pretended Visitors of this University And as hee is informed by the nowe fellowes one Mr John Pettifer nowe fellowe was brought in fellowe in his place forasmuch as the allegation was attested to bee true by some of the fellowes being present The Board ordered the said John Pettifer to bee removed and the said Josiah Howe to bee restored in his place Em^t decret.

Nicholas Meeze sayth that hee beeing a lawfull and statutable fellowe of Trinit Coll And having obtained leave of the then President of the said Coll. to travayle beyond the sea in his absence another person upon some pretence or designe was put into his place before it was ever pronounced voyde, ffrom which undue evictment this partie alledged hath appealed. And his cause yet depending hee humbly craveth releife from this hõble board. And submitteth himselfe. Ordered to bee restored.

[fo 36v]
Thomas
Pooler

comparuit et interrogat by what pretence of right they have chosen three Worcestershire men into Trinity Coll. as fellowes there, whereas the Coll. Statutes alloweth but twoe, hee sayth that there are three de facto, and that Walter Pooler is the last elected. The Commissioners declared that Walter Pooler ought to bee removed But the said Thomas Pooler then humbly proposed that rather than his brother Walter Pooler should bee removed, for an expedient to the Coll. hee would resigne his fellowship. And with acceptance of the said Commissioners hee did then and there resigne his said fellowship, and all interest to the said Coll. in expresse termes. But humbly entreated the hõble Board that in regard his brother Walter had been privie to and versed in his accompte hee beeing Coll Bursar for this yeare, that his brother Walter might bee his substitute for the remainder of this his yeare of Bursarshipp, which this board graunted. And farther grannted that the President and fellowes of the said Coll bee moved that they would choose the said Walter Bursar for the next yeare ensuing if it may bee done without prejudice to the other fellowes

Rich Box M^r of Arts appeared and alledged that hee beeing elected and admitted Scholar of Trinity Coll was in the yeare 1648 by the then pretended Visitors of this University unduely turned out of his said Scholars place, for which hee prayed releife This board ordered to consider farther concerning this matter

Memorandum that Dr. Hooode the Vice-Chancellor declared that hee would not interpose as Commissioner in any matter or cause concerning the visitation of Lincoln Coll nor would hee have his name used therein.

Domini contulerunt jurisdictionem in hunc locum et in horam quartam post meridiem hujus diei

Acta &c in Apodyterio &c die Jovis 16th August A.D. 1660 4-6 P.M. [fo 37r] in pr[ae]sentia mei Greg Ballard.

Commissioners present Bishop of Oxford Richus Zouch Thom Barlowe Rob^t Say Thom Clayton Timoth Baldywn Johes Houghton Thom Lamplugh Amose Walrond

Quibus &c Franciscus Jones art Mag^r comparuit et exhibuit literas regias a serenissimo domino Carolo primo beatae memoriae conscriptas Quibus publice perlectis This board ordered that in pursuance thereof the said Francis Jones bee recommended to the Rector & fellowes of Lincolne Coll^r to elect him fellowe of the said Colledge in one of the places nowe voyded.

His order was sent forth.

Quibus &c Comparuit Mr George Hitchcock M^r of Arts and pretended fellowe of Lincolne Coll in Oxon appeared and being demanded by what title hee claymeth his fellowship in the said Coll hee answareth that hee was brought in by the Visitors whoe had then the power, beeing farther asked of what County hee did accompt himselfe hee said hee was a Wiltshire man borne. And beeing demaunded of what standing hee is M^r of Arts hee sayth hee is about seven yeares standing Master & beeing asked farther whither hee bee in holy orders hee answareth that hee is not

The Board declaring that hee was unduely brought in to his said fellowship by an illegall power, and for that hee was of a non licet County. And not in holy orders which is required by the said Coll Statutes Uppon the whole matter ordered and decreed that hee bee removed from his said fellowship, and they did then remove him from the same

Anton Adlar ¹ M^r of Arts and fellowe of Lincolne Coll, for that hee was refractory and disobedient to the Rector of the Coll and had formerly resigned his fellowship and unduely procured himselfe to bee re-admitted. And for diverse other causes objected and proved This Board decreede him to bee removed from his said fellowship And did then remove him. Em^t decret. [fo 37v]

Gulielm Sprigg M^r of Arts and fellowe of Lincolne Coll forasmuch as it appeared that hee had procured himselfe by powerfull letters to bee unduely admitted fellowe there. And for that hee hath not lived Statutably in the said Coll since such his admission, whilst hee pretended himselfe to bee fellowe there

This Board ordered him to bee removed from his said fellowship. And did then remove him.

Decrement expediendum in horam 3 post meridiem diei Lunae proxima et intimandum ei ut producat acta electionis suae in praelectorem publicum ex institutione dominae Margarettae Henr Wilkinson Sen STD

Em^t intimacio

Quibus Comparuerunt Soci Seniores dicti Collegii quorum nomina subsequenti instrumento sunt subscripta Novum Coll: Oxon

¹ *Ant Adlar* written a second time below *Anton. Adlar*

And in way of an expedient they exhibit a writing under there hands, wherein they did undertake to pay five shillings a weeke to some evicted fellowes of the said Coll in such manner or forme as in the said writing followinge is sett forth which said proposall the said hoble the Comissioners acceptinge did order that it should bee done accordingly

Tenor instrument praedict sequit^r et est talis

[fo 38r]

Wee the senior fellowes of Newe Coll whose names are here subscribed doe promise in our owne names and as farr as in us lyeth in the names of the rest of the fellowes Ex gratia to allowe to all and every one five shillings a weeke that shalbee removed by the present hoble Commissioners. And the payment to bee made from this tyme till Michaelmasse 1660 And from the said Michaelmasse for two yeares after. And this allowance to bee duely paid to those that live out of the University as well as those that live in the place But in case any of those to whome this allowance is made shalbee soe preferred that hee can evidently otherwise subsist Then this allowance shall cease

Dat apud Oxon 16th die Augst 1660.

Johes Gardner Vice Custos John Lamphire Bursar Willm Barker Robt Grove Carolus Blunt Will^m Lydeat Rich Peare Robt. Sharrock Bursar David Thomas James Titchborne Hen Deane Robt Baynham Thomas Fowkes John Marshall

[fo 38v]

Augst 17 1660

Acta &c in Apodyterio die Veneris 17 August 9-11 A.M. in presentia mei Greg Ballard

Commissioners present Bishop of Oxford Paul^s Hood Richus Zouch Thomas Barlowe Robtus Say Gualter^s Blandford Timoth Baldwyn Johes Houghton Thom Lamplugh Amos Walrond

Oliver Lloyd Dr of Lawe appeared and alledged that hee beeing a statutable and undoubted fellowe of All Soules Coll and in due possession for many yeares was in the yeare 1648 unduely turned out of his said fellowship by the then pretended Visitors of this University, wherefore hee humbly desired restitution

The Board ordered that hee should bee restored soe soone as any place in the said Coll should bee duely voyde.

All Soules
Coll.

Forasmuch as this board was informed by the senior and statutable fellowes of the said Coll that those persons undernamed were unduely brought in fellowes by an illegall Power And for that it was confessed by many of them

This Board ordered that they bee all removed to make rome for those which beeing unduely evicted are to bee restored.

vide eorum nomina in sequente pagina Mr. Sprigg Mr Hartford Mr. Panton Mr Crooke Mr Basnett Mr. Pott Mr Bond Mr Brice Mr Bowles

[fo 39r]

Mr. Taylor of Allsouls appearing confessed that hee was brought in fellowe by the power of [blank] But by cause there was generall Testimony given of his ingenuity his civill behaviour and sufficiency of Scholarship. This board did continue him in his said fellowship till farther order

Mr. John Nurth demy of Magd Coll: evicted by the pretended Visitors

in the year 1648 ordered to bee restored soe soone as this board shall finde the expedient of a demyes place there voyde or to bee voyded

Ordered that intimation bee given to Dr Oliver President of Magd Coll to choose newe Chaplaines in the places of those which were evicted. Magd Coll

Continuata est jurisdictio in hunc locum et in horam tertiam post meridiem

The names of the fellowes evicted by the pretended Visitors etc in the year 1648 and nowe restored to theire fellowships All soules Coll

Oliver Lloyde Dr of Ll Mr Coventry Mr. Bassett Mr Culpepper Mr. Harrington Mr Lloyde jun^r Mr. Birkenhead Mr. James Mr Smyth Mr. T¹

Acta &c in Apodyterio &c die veneris 17 August A.D. 1660 3-6 P.M. [fo 39v]
in presentia mei Greg Ballard

Commissioners present Bishop of Oxford Paulus Hood Thom Clayton Timoth Baldwyn Robtus Saye Gualt^{rs} Blanford Thom Lamplugh Amos Walrond

Gulhelm Budd Bacch of Lawe and fellowe of Newe Coll appeared. And the Commissioners taking a reviewe of his former answares declared him to bee unduely elected fellowe &c by an unlawfull power and adjudged him to bee removed from his said fellowship and did then remove him from the same

Josephus Allyn fellowe of Newe Coll &c Simile per omnia cum Mr. Budd precedent.

Thomas Muspratt fellowe of Newe Coll &c Simile per omnia.

Nathanaell Johnson fellowe of Newe Coll &c Simile per omnia.

This Board ordered that Mr. James Titchorne Mr. Robert Bayneham, Mr John Marshall and Mr. Thomas Ffowkes whoe were all unduely evicted in the year 1648 by the then pretended Visitors should bee restored to theire respective fellowships. And they did then restore them into the places then voyded. And decreed an intimation to that effect to bee sent to the Warden of Newe Coll.

Em^t intimacio

Mr Gulhelm Car Socius Coll omnium Animarum comparuit et interrogat [fo 40r]
by what tytle hee claymeth right to his said fellowship hee sayth that hee was statutably elected and admitted fellowe there in the dead place of Dr. Ayleworth late fellowe there deceased.

Domini eum demiserunt.

Gulhelmus Udall fellowe of All Soules Coll sayth that hee was statutably elected and admitted in a dead place.

Domini eum demiserunt.

Thom Boucher sayth that hee was collegiatly admitted in the year 1657 in a fellowe's place then vacant.

Domini eum demiserunt.

[The rest of the page is blank]

Acta &c in Apodyterio &c die Sabbati 18 August A.D. 1660 9-11 A.M. [fo 40v]
presente me Greg Ballard. Commission-
arii

Rich Zouch
Robt Say
Thom Clayton
Timoth
Baldwyn
John
Houghton
Amose
Walrond

Nomina Commissionorum in summo margine
Robertus Wood art Mag^r et Coll Lincoln socius, for that it was made
to appeare that hee was of an unlawfull County & not eligible And for
that hee was brought in by the pretended Visitors in the yeare 1648 And
hath not attended the Visitation

This Board decreede him to bee removed, and did then remove
him

Johes Curtane for that it was made appeare that hee was put in by the
Visitors unduely in the the yeare of our Lord 1648 and for that hee studyeth
or professeth Physick contrary to the Coll^r Statutes This board decreede
him to bee removed out of his said fellowship And did then remove him.
And did farther order that all the profitts and emoluments of his said fellow-
ship be sequestered and continue sequestered to the said Coll use in the
hands of the Rector and Scholars there untill such tyme that all debts by
him owing to the said Coll and all damages by him done bee fully discharged
and satisfied

Georg^s
Hitchcock
Coll Lincoln
Art Mag^r
[fo 40^{bisr}]
Augst 20 1660

Ordered by this Board that a decree bee sent forth, for him the said
Mr Hitchcock to voyde his chambers within fower dayes.

Em^t decretum

Acta &c in Apodyterio &c die lunae 20th August A D. 1660 9-11 A.M.
presente me Gregorio Ballard

Jacobus Hyde
M D^r
Elias Wrench
S T B
Richus
Samway Aet
Mg^r
Edwus Eales
Ae Mr
Capell

Commissioners present Paul^s Hood Richus Zouch Robtus Say Thom.
Clayton Timoth Baldwyn Joh Houghton Thom Lamplugh Amos Walrond
Quibus &c Comparuit Richus Witt Ll Bacchus et exhibuit procurator
suam praedict Dr Hyde Mr. Wrench Mr. Samway Coll C C. Socus et Mr.
Eales Capellano ejusdem, quod procurator in se acceptavit et fecit se partem
pro eisdem et allegavit that the said Dr. Hyde Mr. Wrench and Mr. Samway
beeing duely and statutably admitted fellowes of the said Coll and beeing
for severall yeares in legall possession thereof were in the yeare 1648 by
the then pretended Visitors unduely evicted out of theire said fellowships,
and the said Edward Eales out of his said Chaplaines place Wherefore on
behalf of the said parties hee prayed releife and restitution to there
respective rights and places

The Board resolved to take farther consideration of the particulars

Ordered by this Board that Dr Henry Wilkinson the Lady Margarette
reader bee cited peremptorily to appeare in this place on Wednesday next
at nine in the morne. And intimation thereof bee given to Doct^r Wilkinson
Principall of Mag Hall that hee may give him notice.

Em^t
[fo 40^{bisv}]

John Hoppin M^r of Arts and fellowe of Exeter Coll. sayth that hee
was elected fellowe of Exeter Coll in the yeare 1652 by Dr Conant then
Rector hee beeing a Devonshire man ¹ in the place of one Master Maudit.

Domini eum dimiserunt donec ulterius procedend fore decreverunt

Hunfred^s Sant-Hill M^r art fellowe of Exeter Coll The foresaid Mr.
John Hoppin alledged that the said Mr. St Hill is above one hundred
miles absent from this place and that hee is involved in suites of lawe

¹ man man in MS

that hee cannot attend at present And that hee was duely elected in the yeare 1653 in the place of Baldwyn Ackland whoe resigned the same.

Domini decreverunt deliberand

Richus Whitway comparuit et alledgeth that hee was elected and admitted fellowe of Exeter Coll in the yeare 1654 in the place of Joseph Maynard then resigning Dismissed for present.

Degorias Polewheele Med D^r Comparuit et allegat that hee was evicted out of his fellowship in Exeter Coll in Oxon in the yeare 1648 by the then pretended Visitors of this University wherefore hee humbly prayeth for restitution.

The Board ordered him to bee restored

Thomas Brancker M^r Art Comparuit et allegavit that hee was elected and admitted fellowe of Exeter Coll in one Mr Harts place beeing then dead

Dismissed till farther order

Acta &c in Apodyterio &c die Lunae 20th August 1660 3-6 P.M presente [fo 41r]
me Greg Ballard

Commissioners present Bishop of Oxford Paul Hood Rich Zouch Tho Lamplugh Timoth Baldwyn Walrond

Thomas Rheade Ll doctor expectand in hos diem &c non comparuit sed Mr Witt ejus procurator animo excusandi ejus contemptum allegavit dictum doctorem Rheade tam urgentibus negotis detent esse ut huic sessionsi interesse non potuit Domini assignarunt witt ad proponendum in forme die Jovis proxima circa horam nonem ante meridiem

Johannes Briscoe Art Mag^r et Collegi Ænei nasi socius comparuit et interrogat respondet that in the yeare 1649 the College election beeing obstructed hee was admitted fellowe by an order of the Visitors, in the same yeare but hee came in a dead place.

This board referred the farther consideration of this matter till tomorrowe betweene eight and nine in the forenoone

Monit duo Mr Briscoe tunc interessendum hoc loco

Thomas Lethbridge art Mag^r et Coll Exōn Socius comparuit et interrogat pondet et dicit that hee was elected and admitted fellowe of Exeter Coll. by the Rector and fellowes there in the yeare 1655 in the place of one Mr. Willer whoe came in by an order of the Lords and Commons.

Dismissed till farther order

Francisc^s Marsh M^r of Art interrogat pondet et dicit that hee came in fellowe by election of the Society in the place of one Mr. Martin whoe had resigned.

Dismissed till farther order

Georgius Virman Art Bacch Coll Exōn Socius interrogat pondet et [fo 41v]
dicit that hee was elected fellowe by the Society twoe yeares since in the place of one Mr. Martyn whoe had resigned

Dismissed till farther order

Willhelm Painter Art Bacch Comparuit et interrogat^s pondet et dicit that hee was elected fellowe of Exōn Coll about 3 yeares since in the place

of one Mr Batten whoe was brought in by the Visitors in a Cornish and after into a Devonshire place.

Dismissed till farther order

Georgius Credeford Socius Coll Exon Comparuit et interrogat pondet et dicit that hee was elected fellowe about twoe yeares since in the place of one Mr Slade whoe was brought in by the Visitors but had then resigned. Dismissed till farther order.

Georgius Goodall Socius Coll Exōn Comparuit et interrogat pondet et dicit that hee was elected fellowe by the Society about three yeares since in the place of one Mr Parker whoe succeeded one S^r Dell, whoe succeeded one [blank].

Dismissed till farther order

Josias Upton Coll Exōn Socius Comparuit et interrogat pondet et dicit that hee was elected fellowe a yeare since by the Society in the place of Mr Ffr Howell Dismissed till farther order.

Thomas Mathewe comparuit et interrogat pondet et dicit that hee was admitted Butler of Exeter Coll about 23 yeares since and hath soe continued. Dismissed for present but monished to appeare to see farther proceedings when hee shalbee thereto required.

[fo 42r]

Adams Obsonat^r Coll Exōn dismissed

Daniel Whitford art Bacchūs comparuit et allegavit that hee being a Student of Christchurch lawfully elected and admitted continued for many yeares. But was evicted out of his said Student's place for attending the King lately at Worcester by Dr. Owen the then Deane of Christchurch. Wherefore hee humbly prayeth restitution to his said Student's place The board will farther consider of his allegation and request.

SECOND PART, 11 SEPTEMBER 1660-24 JULY 1662

[p 1]

Sep 11 1660

Acta in Apodyterio die Martis 11 Septemb^r 1660 9-11 A.M presente me Greg Ballard

Commissioners present Paulus Hood Richus Zouch Dr Saye Mr. Lamplugh Quibus comparuit Tho Boucher Ll Bacch et exhibuit procatorem pro Timotheo Shute C.C.C Scholaris Accept &c et alleg^t dōm Timotheum Shute.

Comparuit Mr. Hoppin quem Domini monuerunt ad intercessendum die Septimo circa horam quartam P.M

Comparuit Mr. Worthington demy et poseit ut Domini prius decreverunt non ulterius procedendum in Visitatione Coll Magd donec Coll Satisfecerit literis Regiis Commissionarius directis et predicto Coll commend pro admissione.

Comparuit Mr Samuel Bedford et interrogat quo jure vindicat locum Auditor Ch: Ch: hee answareth that hee claymeth the said place by virtue of a patent graunted him by Dr. Reynolds the Deane and the Chapter there.

Monit ad interessendum Crastino Circa 3 P.M.

Acta &c in Apodyterio &c die Mercurii 12 Septemb^r 1660 3-6 P.M. [p 2]
 Commissioners present Dr Hood, Bishop of Oxford, Dr Zouch, Dr. Sept 12 1660
 Lamplugh, Dr. Saye

Quibus &c Comparuit Mr. Sam Bedford and beeing interrogated by what right hee possessed &c hee produced a graunt under the seale of the then Deane and Chapter of Christchurch Oxon bearinge date 20 Decemb 1648 And beeing further interrogated hee confesseth and beleiveth that one Mr John Kinge had a graunt for certaine yeares of the same place to him made by a former Deane and Chapter of the Church aforesaid, and at such tyme as the said deede by him exhibited was made to him the said Mr Bedford, the said Mr King's lease was not expired, there beeing some yeares then to come of that lease

Forasmuch as it doth appeare to this Board that Mr John King beeing in possession of the said Auditors place was for bearing arms against the Parliament ¹ by an authority illegall and insufficient ejected out of his said place of Auditor of Ch Ch. aforesaid It was ordered and decreede by this board that the said Mr John Kinge bee restored to the said Auditors place in the same right and capacity as hee was at the same tyme when hee was unduely evicted as before

And it was also decreed the said Samuel Bedford to bee removed out of the said Auditor's place And intimation hereof to bee made to the Deane and Canons

Em^t intimatio

Mr Hoppin beeing interrogated whither hee hath not beene at Chappel [p 3]
 prayers in the Coll hee confesseth hee hath not Mr Hoppin.

The Commissioners ordered and monished him duely to frequent the College prayers morning and evening according to the College Statutes, betweene this and Tuesday next and to certify then his constant frequenting of the same under the hands of three of the Senior fellowes ²

The Commissioners considering that hee was not turned out by the Visitors, but by the private Heade of the house upon a pretended misdemeanour, declared that they could not give him remedy, and soe hee was dismissed. Mr Hles
 C Church

Mr Henry Tyllie Mr. of Arts & Student of Christchurch sayth that hee was admitted Student in the yeare 53 Dr Owen and Mr Phillipp Gerard [?] beeing the electioners Domini pronunciarunt eum indebite admissum et decreverunt amovendum.

Nathanael Whithorne his former answare beeing read the Commissioners declared that hee was unduely admitted and decreede him to bee removed. Citend^m Mr. Cutler Mr. Rogers Mr. Nurse ad comparendum die Veneris prox.

Thomas ³ Johnson appeared and his former answare beeing read The [p 4]
 Commissioners did pronounce and declare that hee was unduely elected by incompetent electors, And therefore decreede him to bee removed.

¹ for . Parliament written over an erasure ² Two lnes following erased.

³ Entry before this erased.

[p. 5]
Sept 13

Acta &c in Apodyterio die Jovis 13 Septembr¹ A^o 1660 9-11 A M
Commissioners present Bishop of Oxford Paul Hood Dr Zouch Dr
Saye Dr Lamplugh

Wm Walker
of Trin Coll

Porrecta petitione Mr Will^m Walker et publice perlecta Domini
decreverunt hanc causam non esse hujus cognomine for that it concerned
the private acts of the said Coll and the petitioner was not turned out by
the Visitors in 48

Mr Duckworth Coll Brasenose Art Mag^r and hee sayth that Mr John
Blackborne whoe desireth to bee restored was not turned out by the
Visitors, but by some private act of the Coll

The Commissioners ordered him to bring a Certificate from the Coll
of the premisses at 4 of the clock afternoone

The Commissioners decreed that Mr Griffith appeare tomorrow at 4
afternoone to see farther proceedings

Quibus comparuit Johannes Holder et exhibuit certaine letters of graunt
of the place Clarke Bell-ringer and Schoole Keeper in Oxon made to Isaack
Odall from the Marquesse of Hertford there Chancellor &c in the new
changes bearing date the 10th of July 1660 And alsoe a substitution

James Browne sayth hee was brought into the Clerkes place in the
roome of John Jellystowe by Dr. Reynolds the Vice Chancellor Edw Adams
nowe made Gallery keeper by Dr John Owen in the tyme of his Vice-
Chancellorship

[p. 6]

The Commissioners ordered and commanded James Browne to give up
the keyes of StMaryes and the Schooles and all the goods of the University
which are in his custody into the hands of the Vice-Chancellor or whome
hee shall appoint to receive the same

Ordered that John Holder doe officiate the place of Clerke Bellringer
and Schooles Keeper, as substitute and deputy of the said Odall, whoe hath
the originall graunt of the said places from the hoble the Marquesse of
Hertford Chancellor of this University

[p. 7]
Sept 14 1660

Acta &c in Apodyterio die Veneris 14 Septembr^r 1660 4-6 P M
Commissioners present Bishop of Oxford, Dr Zouch, Dr Barlowe, Dr
Saye, Dr. Lamplugh

Comparuit Dr Duckworth et exhibuit Certor The Commissioners upon
reading of the same dismissed the said Mr Duckworth till farther order.

Vide Certor registrandum

A petition beeing read on behalf of John Armitage Ordered that the
Master of University Coll^r bee moved on the petitioners behalfe to accom-
modate him with a fellowship in the said Coll soe soone as conveniently
hee may²

Ordered that in regard Mr John Harmar the Greeke Reader of this
University hath beene severall tymes (both by originall processe vis et
modis executed and returned) cited to appeare before this board yet in
regard (though hee hath beene from day to day reserved and expected)
hee doth not at all appeare by himselfe or his lawfull Proctor to answare

¹ *Mercurius* accidentally in MS.

² A line after this has been erased.

such thyngs as may bee objected against him That hee bee removed from his said Greeke Readers place and hee is hereby removed from the same

Comparuit to whome the Commissioners objected that hee was unduely admitted fellowe of University Coll yet in hopes of his conformity to the Coll Statutes and the Universityes they dismissed him for present

Mr Griffith
of University
Coll

Acta &c in Apodyterio die Martis 18th Septemb^r A^o 1660 4-6 P M [p 8]

Commissioners present Bishop of Oxford, Dr Clayton, Dr Lluellyn, Dr Blanford, Dr Zouch, Mr Lamplugh, Dr. Barlowe

[Entry erased]

In regard Mr Hoppin was unduely and illegally admitted and that it was made to appeare to the board that in his tyme of being fellowe there hee hath behaved himselfe turbulently and factiously to the disturbance of the peace of the Coll It was decreed by this board that hee bee removed out of his said fellowes place in the said Coll and hee is hereby removed to make roome for Dr Budgood late fellowe of the said Coll whoe was illegally and unduely turned out of his said fellowship by the pretended visitors that hee may bee restored into his former place and right in the said Coll

Coll Exon
Mr Hoppin

Ordered that Dr. John Bidgood be restored and received fellowe in in the said Mr. Hoppin's place

Ordered by the Board that a peremptory Warrant bee sent to Mr George Hitchcock of Lincolne C to require him forthwith to relinquish his Chamber

Em^t decret

In Apodyterio Septembr 19 9-11 A M.

[p 9]
Septb 19

Commissioners present Bishop of Oxford, Dr. Clayton, Dr. Lluellyn, Mr Lamplugh

Domini decreverunt Mr. Fforman, Dr Clarke, et Dr Pellham intimand ad comparendum in Crastino 4 P M. et prorogarunt jurisdictionem in eundem.

Acta in Apodyterio die Jovis 20 Septemb^r 1660 4-6 P M

Sept 20

Commissioners present Bishop of Oxford, Dr Hood, Dr Zouch, Dr. Clayton, Dr Blandford, Dr Say, Mr. Lamplugh, Dr Barlowe, Dr Oliver

Comparuit Dr. Daniel Greenwood et objecto that hee received five pounds of Henry Davis the Bedle in the tyme of Vice Chancellorship, hee answareth that hee the tyme of his Vice Chancellorship hee did receive & pay severall summes but hee cannot give any ready or perfect accompt unlesse hee may have perusal of the University accompts The board admonished him to informe himselfe the best way hee may betweene this and Thursday next, and to appeare before this board the same day at three after noone

[Entry erased.]

Mr Rich Rawlynson } Restored
Mr John Dunner }

Contin jurisdictionem in horam octavam diei Jovis prox

At which tyme and place appeared Rich. Rowlanson Mr of Arts and alledged that hee being in peaceable and statutable possession of his fellowship in Newe Coll in Oxon was in the yeare 1648 illegally and unduely

[p 10]
Sept 20
Mr
Rowlanson

turned out of his said fellowship by the then pretended Visitors of this University, for which hee prayeth releife and restitution

Domini decreverunt eum restituendum

Mr. Dummer At which tyme and place appeared John Dummer and alledged as above &c.

Ordered to be restored &c

Sr Bradley The honorable the Commissioners taking viewe of the former answere of Savile Bradley Bacch of Arts and fellowe of Newe Coll in Oxon and concluding him to bee admitted into the said fellowship unduely and by an illegall power adjudged & decreede him to bee removed, and did then remove him

Mr Peare Simile per omnia cum domino Bradley in art proxime precedente.

Geor Hitchcock Upon information given that notwithstanding George Hitchcock Mr. of Arts of Lincolne Coll hath beene served with severall orders and decrees of this board, yet hee hath not obeyed any of them but doth at present in a contumacious and rebellious manner stand in defiance of the power and authority of his Maties Commissioners it is ordered that a Warrant issue forth for his arrest and that hee bee attached, and in safe custody kept in the common prison Till this board shall farther determine.

[p. 11] Act in Apodyterio die lunae 24 Septemb^r A.D. 1660 8-11 A M

Sept 24 Commissioners present Bishop of Oxford, Dr Zouch, Dr. Say, Mr. Houghton, Mr. Lamplugh

Ordered that in regard Mr. Edmund Reeves Mr of Arts and fellowe of Newe Coll^r hath lately departed this life, that intimation bee given to New Colledge to admitte Mr. Timothy Blincowe Bacch of law &c in his place

Ordered that notice bee sent to the keeper of the Castle in regard that there are crimes of an high nature objected against Mr George Hitchcock, his prisoner that hee keepe a strickt hand over him, and suffer none either Scholars or others to have accesse to him save Chirurgions or like necessary attendance.

Ordered the same tyme that whereas Mr. Bemamden Parry was admitted Greeke Reader and fellowe of C.C.C. that hee should enjoye his seniority in the said Coll. according to his order and degree of seniority in the University.

[p. 12] Acta &c in Apodyterio die Jovis 27 Septemb^r A D 1660.

Sept 27 Commissioners present Paul Hood, Oliver, Thom Barlow, Rob^t Say, Gualter Blanford, Tho Lanplugh.

Quibus &c Comparuit Ffranciscus Jones Art Mag^r and alledged that hee the said Francis Mr. Wm. Gilbert Mr. of Arts Sr Humphries Sr Cave & Sr Laws fellowes of the said Coll cannot bee accomodated with their chambers in the said Coll in regard Mr. Adlar, Sprigg, Mr George Hitchcock Mr. Cartaine doe refuse to voyde their respective chambers

Domini decreverunt providendum et decernendum in hac causa

Mr. Anderson beeing present desired leave to goe forth into the country till our Lady daye. Denied.

[Entry erased].

Dr Yate appearing alledged that Mr Rob^t Litler S.T Bacch hath lately resigned his fellowship in Brasennose Coll it was at the said Dr's motion ordered that Mr Richard Rolle (?) a fellowe of the said Colledge whoe was formerly decreede should bee restored, and put in the said Litler's place

The Commissioners decreede accordingly

Mr. Chamberlaine pretended demy of Magd Coll appeared and admon- [p. 13]
ished to appeare this day fortnight to see farther proceedings

It was recommended by this board to the delegates for this University to consider Henry Davis the Bedle concerning some satisfaction to bee made him for the 5^l which appeared to be ¹ exacted from him by Dr. Greenwood in the tyme of his Vice-Chancellorship as a mulct for keeping back his ² Bedles Staffe contrary to the order of the then pretended ³ visitors of this University

John Dennis under-grad & demie of Magdalen Colledge forasmuch as this board upon misinformation that one Dodington Clarke a demie of Magd Coll was unduely evicted by the pretended Visitors in the yeare 1648 Whereas really hee was restored againe and did about fower yeares after resigne of give upp his said demyes place. This board therefore adjudged it meete to reverse and vacuate the order and decree for the restitution of the said Doddington Clerke, and whereas it was decreede that the said [blank] Dennis should bee removed from his said demyes place, upon farther consideration and a good testimony given of the conformity and good behaviour of the said [blank] Dennis The board then ordered that hee should continue in his demyes place statu quo ante.⁴

Domini decreverunt Mr Warde Mr Berry Mr. Bruce et Mr. Hibbert [p. 14]
Citend ad comparendum die Jovis 4 Oct proximo inter horas 3 et 5 P.M.

Domini continuerunt jurisdictionem in hunc locum et in diem Martis proximam inter horas 3 et 5 P.M.

Lincolne Coll Mr Woode Mr Sprigge Mr Adlar's chamber to be voyded.

Ordered that Dr Hood the Rector of Lincolne Coll bee impowered to
voyde the chambers of Mr Woode Mr. Sprigg and Mr Adlard late evicted
fellowes and to place such fellowes of the said Coll as to him in his judgement
shall seeme meete Oct 2 1660

Upon a Certificate of the sufficiency and good behaviour of Edward
Adams Manciple of Exōn Coll. under the hands of the Senior fellowes of
the said Coll. It was ordered that hee bee continued in his Manciples
place there Edw. Adams.

Acta in Apodyterio die Martis 2 Octobr^r A.D. 1660 3-5 P.M. [p. 15]

Commissioners present Dr P Hood Dr Mark Lluellyn Dr. Thom
Clayton Mr Thom Lamplugh Dr. Woodward.

Ordered that liberty bee given to Wilham Collyer and that it may bee

¹ appeared to be written above was, erased

² his written above the, erased

³ pretended pretended in MS

⁴ precedent order to the contrary notwithstanding is written in the margin against this passage.

lawfull for him to officiate or execute his Butlers place in Pembroke Coll for 3 months by a deputy [2 lines erased] Hee in the meantime leaving a sufficient deputy and not damnifying the Coll Decree that an order goe forth to the Porter of Lincolne Coll to voyde the chambers of Mr. Wood Mr Sprigg and Mr Adlard late fellowes of Lincolne Coll, and that the Porter bee impowered to place such fellowes of the Coll as want chambers in the same

Timothy Shurte of C.C.C Scholar sayth that hee having beene a yeare Scholar of the said Coll lawfully admitted beeing a Devonshire man was unduely evicted out of his said Scholars place in the yeare 1648 by the then pretended Visitors of this University.

Deliberand in diem Jovis prox

The decision of the cause betweene Mr. Armitage and Mr. Griffiths of University Coll put of till Thursday come sevendnyght at 3 afternoone as allsoe the cause betweene Mr. Stringer (?) and Mr Anderson. And Mr. Obadiah Walker requested to bee there

Acta &c in Apodyterio die Jovis 4 Octobr A.D 1660

Commissioners present The Vice Chancellor, Dr Woodward, Dr. Lluellyn, Mr Tho Lamplugh, Dr. Zouch.

Whereas it was made appeare to this board by the Registers booke for the late pretended Visitors of this University that Mr. Walter Ettrick a Commner of Trinity Coll Oxon was in the yeare 1648 expelled this University for not submitting to the Visitation power of the said Visitors The board did pronounce and declare that hee was unduely and illegally expelled

[2 lines erased which record annulment of the expulsion order.]

Whereas the right Worshipfull Dr Michael Woodward Dr. of Divinity Warden of Newe Coll Oxon was in the fourth of June 1660 remove out of the said Coll Rich. Huggins the Second Cooke of the said Coll whoe was unduely put into the said place by the pretended Visitors in the roome of Barth. Finch whoe was unjustly evicted in the yeare 1648 vide in fine hujus diel.

Mr. William Carpender Moral Philosophie Reader reserved till this day sevendnyght viz^t in undecundam instantis Jeames Jennings Second Butler Richard Pepper his place John Davenport Manciple Matthew Leech Matth Jellyman Groome W^m Shawe in his place.

Benjamin Berry Mr. of Arts and Chaplaine of Ch Church sayth that hee hath beene Chaplaine there about a yeare and halfe Hee was in holy orders, as hee sayth ordeyned at London about 5 or 6 month since by the Presbyterians, hee hath not yet read the Common Prayers in the Church, but hee doth not scruple at the reading thereof, and promises if he continue Chaplaine there to doe & performe the duty of that place.

The board declareth that hee was brought in by an unlawfull power, refere him to the Deane & Canons of Ch. Ch.

Simile in causa Mr. Bruce sequente.

John Hibbot Regent Mr. of Arts & Chaplaine of Ch Ch sayeth hee was

Vide pagina
altera

[p 16]
October 4
1660

[p. 17]

Em^t

admitted Chaplayne about three yeares since by Dr Owen the Deane of Ch Ch Hee is not in holy orders

Smile at in causa Mr. Berry precedente

John Ward Mr of Arts Chaplaine of Ch Church sayeth hee was admitted Chaplaine by Dr Owen the Deane &c about 9 yeares since, hee sayeth he is not in holy orders, but hee hath endeavoured to obteyne orders from a Bishopp, and intendeth to receive the same soe soone as hee may

Em^t Warran

Dismissed

Mr Andrewe Bruce Chaplaine of Christchurch his answare of the 4th of September beeing read the Board declared that hee was unduely admitted by an unlawfull power, and therefore they referre him for his amotion or continuance to the Deane and Canons of Ch Church

Ordered that Mr Edw Eales late Chaplaine of C C C whoe was unduely evicted in the yeare 1648 bee restored and hee is restored

Em^t Warr
[p 18]

Ordered by the Board that Mr Benjamin Parry the Greeke Reader of C C C. shall hould in the Coll his seniority according to his degree and seniority in the University Timothy Shute of C.C.C. evicted in the yeare 1648 The house settled and noe place more to bee voyded Hee dismissed till farther order upon a motion of agreement of allowance to bee made by the Coll such as hee should accept

Mr Hooke of Magd Coll leave to goe into the country for a month Quibus comparuunt Barthol Smith Second Cooke and Richard Hepper Second Butler of N C. Oxon and alledged that they the said Barth Smith and Richard Hepper were unjustly turned out of theire respective places in the yeare 1648 and one Rich Huggins was by the then pretended Visitors put in Butler in his place and James Jennings in the said R Heppers place as alsoe they farther alledged that at the same tyme by the said pretended Visitors William Shawe was turned out of his Groomes place in the said Coll and one Mathewe Jellyman putt into the same as alsoe Mathewe Leech beeing at the tyme aforesaid Manciple of the said Coll was by the same Visitors turned out of his said place, and one John Lampport. But Dr Michael Woodward beeing Warden of the said Coll. and well knowing of the unjust sufferings of the said evicted persons did with advice and consent of the 13 Senior fellowes of the said Coll restore the said persons unto their respective places.

Now they humbly pray this Board to allowe [illegible] and Warden would bee advised to a conference thereupon

Acta &c in Apodyterio die Jovis 11 Octobr^r A D 1660 3-5 P.M
Commissioners present Dr. Zouch, Dr Woodward, Mr. Houghton, Dr Hood Dr. Barlowe.

[p 19]
Oct 11

Upon complaint made by Mr. Whitwick of Pemb Coll. that notwithstanding hee was restored by this board to his Master's place with all rights &c yet notwithstanding Dr. Langly the late pretended Master doth deteyne the Masters Lodgings there from the said Mr. Whitwick

Ordered that a Warrant bee sent to Dr. Langly to voyde the ^{sa} Lodgings within fower dayes after the said warrant served upon him

Em^t Warrant

Comparuit Mr Carpender quem domini monuerunt to apply himselfe to the electors of the morall Philosophie Lecture and to appeare this day fortnight to see farther proceedings

Mr Timothie Shute appeared and desired as formerly Domini monuerunt en ad comparand die Martis prox hora tertia P M and Dr. Newlyn was desired to bee then present with some of the fellowes Continuat jurisdictionem in eundem diem et locum

The board then Ordered that Mr Savill Bradley Bacch of Arts and a late evicted fellowe of Newe Coll shalbee admitted fellowe of the said Coll in the place of the next benefactors fellowe of that house, whoe shall resigne or relinquish his said fellowship

[p. 20]
Octob^r 16 1660

Acta &c in Apodyterio die Martis 16 Octob 1660 3-5 P M
Commissioners present Dr. Hood Dr Zouch Dr Woodward Mr. Houghton Mr. Lamplugh Dr Barlowe

Quicus &c Comparuit Mr Timotheus Shute C C C Scholar et allegavit et petit ut prius The board in regard hee hath a benefice, beeing presented thereto above a yeare since and hath since enjoyed the profitts thereof adjudged him not to bee restored to his yeare of Grace. But reserved to the President and Coll as to his charges of his journey

Quibus &c Comparuit Mr Medford Art Mag^r Socius C.C.C. and after much debate concerning the seniority of the fellowes of the said Coll this board ordered not to determine anything at present, but to expect a fuller board, and monished the said Mr Medford to bee forthcoming when hee shalbee cited to appeare And upon complaint made against him hee was farther admonished to behave himselfe more mildely and quietly in the Coll till the point of seniority shalbee decided.

[p. 21]
Oct. 25 1660

Acta &c in Apodyterio die Jovis 25 Octobr 1660 3-6 P.M.
Commissioners present Dr. Hood, Dr. Say, Dr. Blandford Dr. Clayton, Mr. Lamplugh.

Dr Maplet

Upon report made from ¹ Mr. John Houghton and Mr Tho Lamplugh Commissioners whoe have taken a particular viewe of the repaires made by Dr. Garbrand in Gloucester Hall they made order and said that in there judgment there is about twenty marks dispended upon the Lodgings and Gardens there by Dr Garbrand Whereupon this board ordered and awarded xviii^l to bee repayde to him by Dr. Maplet in satisfaction for his disbursements about the premisses Mr. Kemish of Magd Coll. Chaplaine to bee cited to appeare on Tuesday next betweene 3 & 4 after noone Mr. Blake monished to appeare on Tuesday next

Octob^r 30
1660

In Apodyterio 30 Octob^r die Martis 3-4 P.M.
Commissioners present Dr. Hood Dr. Woodard [sic] Dr. Clayton
Henr Davis allegavit se quaesivisse Mr. Kentish Capellanum Coll. Magd. quaesit &c

Domini decreverunt eum citandum vice ac Modo [?] in proximam jurisdictionem.

Domini Commissionaru continuarunt et prorogarunt jurisdictionem

¹ Written over by, erased.

THE UNIVERSITY OF OXFORD AND ITS COLLEGES 45

suam in hunc locum et in diem Martis proximam 6 viz^t hoc prox. inter horas 3 et 5 P.M. Mem^r Turners petition

Acta &c in Apodyterio die Martis 6 Nov^b A.D. 1660 3-6 P.M.

[p 22]
Novbr 6 1660

Commissioners present Dr Hood Dr Woodward Dr Lamplugh

Con Mr Jacobum Kentish C. Magd Capellan

Em^t vus et modo executum per Gulielm Ball Badellum per affixionem super ostio camerae suae in dict Coll die Veneris ultimo circa horam octavam A.M. in praesentia J Taylor Promi Medii dict Coll

[6 lines erased]

Comparuit Mr Kentish and the board examining the manner of his admission did declare that hee was unduely admitted Chaplaine and decreede him to bee removed, and did remove him and ordered that Mr. Moore [?] a former Chaplaine that was unduely put out of his Chaplaines place in the said Coll in the yeare 48 should bee restored and reinstated in the same by the President of the said Coll in case hee have noe just objection against him. But the Commissioners suspended the execution of this Act till Thursday come fortnyght and monished to him to appeare the same day, et continuarunt et prorogarunt jurisdictionem suam in eundem.

Die Veneris 9th Novb^r 1660 10-11 A.M.

[p 23]
Nov. 9 1660

Commissioners present Dr Hood, Dr Barlowe, Dr Say, Mr. Lamplugh

Meeting in the Divinity Schoole they upon conference had did agree upon reasons then proposed and allowed that Nichol Blake late fellowe of Newe Coll in Oxon whoe was lately removed from his fellowship onely upon grounds of his undue admission to the same, should bee made capable of restitution to his said fellowship of some other fellowship in the said Coll next and immediately after S^r Bradley such bee spedd according to a former order. And that the said Blake bee admitted into the place of the next beneficed member that shall depart the said Coll immediately after the said S^r Bradley shalbee spedd

In Apodyterio die Jovis 22 Novb^r A.D. 1660 3-5 P.M.

[p 24]

Commissioners present Vice-Chancellor, Woodward, Jo Oliver, John Houghton Tho Lamplugh.

Mr. Kentish Chaplaine of Magd Coll the former order by order of the board committed to execution

Br. Blakes order suspended in prox

Cont jurisdictionem in diem Jovis prox 29 instantis.

Acta &c in Apodyterio die Jovis 29 Novemb^r 1660

Commissioners present Dr. Hood, Dr. Oliver, Dr. Woodward, Dr. Saye, Dr. Barlowe Dr. Lamplugh, Mr Houghton.

Whereas by a former order of this Board it was decreed that Mr John Blackborne fellowe of Brasennose Coll. whoe was unduely evicted should bee restored in the place of one [blank] Whaley beeing dead The Commissioners did soe limitt that order that in case the said John Blackborne shall not appeare to make his demand of his said fellowship by Candlemasse next The Coll shalbee at liberty to proceede to a free election. Dñi

continuarunt jurisdictionem in hunc locum et in horam secundum die Jovis prox P.M.

25] Acta &c in Apodyterio die Jovis 7 Decemb^r A.D. 1660 3-4 P.M. presente me Greg Ballard.

Commissioners present Dr Paul Hood, Dr Oliver, Dr Say, Jo. Houghton

Ordered by the Board that a letter of commendation bee sent to Dr. Maplet Principall of Glocester Hall to receive Thomas Turner into the Cookes place there out of which hee was unduely evicted

Ordered by the board that Mr Nicholas Blake late fellowe of New Coll bee restored to a fellowship in Newe Coll in Oxon into the next place of any beneficed fellowe of the said Coll that shall leave or depart from his fellowship there, after Mr Savill Bradley shalbee restored according to a former order on his behalfe made

Prorogarunt jurisdictionem in diem Jovis prox 16 instantis 3 P.M.

p 26]
Decbr 16 1660

In Apodyterio die Jovis 16 Decbr^r A.D. 1660 2-3 P.M.

Commissioners present Paul Hood, Michael Woodward, Tho Barlowe Gualter Blandford, Martin Lluellyn, John Houghton Tho Lamplugh

The order of the tenth of Augst concerninge the seniority of fellowes and other persons restored beeing publickly reade was then confirmed by this board to all effects and purposes. Onely upon complaints offered against Mr Medford a fellowe of C.C.C. the execution of the foresaid order of the tenth of Augst is suspended as to the said Mr. Medford and noe other. Mr. Medford to bee cited to appeare on Thursday next at twoe afternoon hoc loco continuata jurisdictione in [blank] &c.

Decbr 20 1660

In Apodyterio coram Dr. Barlowe, Dr Blandford Dr. Lamplugh 3-4 P.M.

Adjourned to this day fortnight horis et loco ut supra

p 27]
an 4 1660
= 1661]

Acta &c in Apodyterio die Jovis 4 Jan. 1660 3-4 P.M.

Commissioners present Paul Hood, Dr. Oliver, Dr Barlowe, Dr. Woodward Dr. Saye, Dr. Blandford, Dr. Lluellyn, Dr. Lamplugh Mr. John Houghton.

Ordered by the board that 5^{li} bee really payde to Henry Davis in recompense ¹ of his charge and paynes in twoe journeyes by him made upon the University business, and by the Commissioners appointment Continuat jurisdictionem in diem Martis instantis 2-3 P.M.

Jan 1660
= 1661]

In Apodyterio, die Martis 8 Jan 1660 2-3 P.M.

Commissioners present Dr. Hood, Tho Lamplugh, John Houghton.

Cont jurisd in diem Martis prox 2-3 P.M.

4 Jan 1660
= 1661]

In Apodyterio die Martis 14 Jan 1660 3-4 P.M.

Commissioners present Dr. Woodward, Thom Lamplugh, John Haweton Dñi continuarunt jurisdictionem in hunc locum et diem Martis prox 2-3 P.M.

2 Jan 1660
= 1661]

In Apodyterio die Martis 22 Jan. 1660

[Again adjourned.]

p. 28]

In Apodyterio die Jovis 24 Jan. 1660

¹ Written above *heu*, erased

Commissioners present Paul Hood, John Oliver, Michael Woodward Thom Barlowe, Thom Lamplugh Thom Clayton Martin Lluellyn, John Houghton

Ordered by this board that the Colledge and Halls bee cited to take the oaths of Supremacy and allegiance and have notice therefore in order following vizt the respective Butlers to bring in to the [3 lines erased]. Register at his lodgings &c the names of all persons entered upon there respective Buttery bookes by Monday at 11 of the clock. And the Bedles to cite them according to the directions to bee given them

Acta &c in Apodyterio die Martis 29 Jan A.D. 1660

Commissioners present Paul Hood, Dr Woodward, Dr Blandford Dr. Clayton John Houghton

[p 29]
Jan 29 1660
[= 1661]

[Agam adjourned]

Acta &c in apodyterio die Martis 5 Feb 1660. 2-3 P.M.

Febr 5 1660
[= 1661]

Commissioners present Dr. Woodward, Dr. Clayton, Dr Lluellyn, Mr. John Houghton

Decreverunt Mr Johen Blackbourne restituendum Pro praesentatione iud Coll Oriell die Mercurii 6 instantis hora secunda P.M. hora 3 Coll Universitat dict die

Mr. Whitlock et Mr Potter citand ad comparend die Jovis prox circ horam x^m A M ad present libram Statutorum et alios serius

[Adjourned to 7th]

Acta &c in Apodyterio die Jovis 7 Febr A.D. 1660 presente me Febr 7 G Ballard &c.

Commissioners present Michael Woodward, Robt Say, Tho Lamplugh Tho Clayton, Martin Lluellyn, John Houghton.

Phillip Potter &c comparuit et allegavit secundum petition prius exhibitam se indebite et contra Statut Coll amotam a Societate sua in Coll Pembr per Henric Whitwick membr ibidem Unde Domini consultis Statutis dict Coll et Causa Coram eis ventilata pronunciarunt Mr. Potter indebite amotum et decreverunt eum restituendum, prout tunc restituerunt

[Days and dates fixed for administering the oaths

All Souls	Febr 11.	1 p.m
Queens Coll & St. Edmund Hall	„ 12.	2 p.m
New Coll & Hart Hall	„ 13.	1 p.m.]

Acta &c in Apodyterio die Martis 12 Febr 1660

[p 30]

Commissioners present Dr. Hood, Dr. Woodward, Dr. Say, Dr. Lamplugh, Dr Clayton, Dr Lluellyn, Mr. Houghton.

Quibus exhibita petitione per Mr Lovejoy Art Mag^r et nuper Socius Col Merton qua perlecta Domini decreverunt ulterius procedendum in hac causa die Jovis prox hora 1^{pm} P.M. facta intimacione Vice custodi dict Coll et reliquis dict Coll socis objicere volentibus &c.

Petitions of some Masters of Univ. Coll to bee considered on Thursday next at the Session hora prima P.M.

Trin & Bal on Thursday 3 & 4

St. Johns Ffrayday at 8

A petition from Mr Davis of Johns Coll to bee considered on Thursday next

[p 31]
Febr 14 1660
[= 1661]

Acta &c in Apodyterio die Jovis 14 Febr 1660 2-3 P M

Commissioners present Michael Woodward, Tho Barlowe, Robt Say, Thomas Lamplugh, Tho Clayton, Mart Lluellyn, Joh^s Houghton

Mr Georgius Lovejoy Coll Merton Art Mag^r comparuit et perlecta petitione &c et perlectis quibusdam articulis contra eum perlectis et per eum perlectis negat easdem esse veras aut aliquem eorum esse verum in aliqua parte Nemine comparente ad justificandum articulos Domini decreverunt casu quo prius objiciend non probaverit accusationem legalem citra horam secundam, dict Mr Lovejoy restituendum

Edward
Burlton
Tim Nourse
Gul Shippon
Henricus
Warren

Comparuerunt et inspecta eorum petitione et Certificator Manu Dr. Walker Mag^r dict Coll subscriptum

Domini decreverunt that the said parties should enjoy their seniority in the said Coll accordinge to theire respective orders of theire election into theire fellowships there.

Magd Coll Monday at 1 Magd Hall Monday 3 afternoone Exet^r

J de Petitione
Mr Davis et
Ponso
Dr. Mansell
[p 32]
Feb 19 1660
[= 1661]

Lincolne et Johns Coll d 2 3 4

Mr. Davis was ordered by the board to make his application to Doctor Mansell The Commissioners refusing to take any farther consideration of his motion

Acta &c in Apodyterio die Martis 19 Febr 1660 1-2 P M.

Commissioners present Paul Hood, Michael Woodward, Thom Barlowe, Thom Lamplugh, Thom Clayton, John Houghton Robt Say, Martin Lluellyn

Quibus comparuerunt Mr. Alexander Ffisher Vice-custos Coll Merton, Edmund Dickinson Med doct. Thomas James Ll. doct^r et alii ejusdem Coll socii et in probacionem quarti articuli produxerunt Thomam Aslebee et Joannem & Henr Dayvis to depose [?] that the said Mr. Lovejoy beeing at the house of Edward Boulton in Oxon commonly knowne by the name of the Pitt that some years since, the certaine tyme they remember not the said Mr Lovejoy did utter and speake the words [blank] viz^t meaning and intimating King Charles the First that hee was a Taylors Bastard. And if noe man would hang him, hee would doe it himselfe, or used words to the very same effect

Ffebr 21 1660
[= 1661]

Continuat jurisdictionem in diem Jovis prox 1-2 P M.

Acta &c in Apodyterio die Jovis xx1 Febr 1660 1-2 P M.

Commissioners present Robt. Say Thom Clayton, Martin Lluellyn Dr. Lamplugh, Joh. Houghton

Continuat jurisdictionem in diem Lunae prox 25 Febr 1-2 P M.

vide Chartum certificat et intimacionam Coll Merton Circa electionem &c Feb 12

[p. 33]
Febr 25 1660
[= 1661]

Acta &c in Apodyterio die Lunae 25 Feb 1660 1-2 P.M. presente me Greg Ballard.

Commissioners present Paul Hood Thom. Barlowe Robt. Say Tho Clayton Jo Houghton

[Adjourned to Feb 28.]

Acta &c dicta die presente me Greg Ballard.

Febr 28 1660
[= 1661]

Commissioners present Paul Hood Tho Clayton Mart Lluellyn John Houghton

[Adjourned as above.]

Eodem die porrecta petitione Mr Thomam Warde LL Bacch et Robtūm Jennings Art Mag^r Socios Coll di Jo Bapt.

Domini decreverunt deliberandum

Die Lunae 4 Marti Michael Woodward Gualter Blandford et Tho Clayton continuarunt jurisdictionem in hunc locum circa horam octavam A M diei crastini

Mart 4

[8-9 A M Dr. Woodward, Dr Barlowe, Dr. Lamplugh Dr. Lluellyn, Mr. Jo Houghton, met and adjourned to 14 March 1-2 P.M.]

Mart 5

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1-2 P.M. convenerunt

Mart 14

Dr. Woodward, Dr Say, Dr Lluellyn, Dr. Lamplugh, Mr. Houghton, [adjourned to 21 March 1-2 P.M.]

die Jovis

1-2 P.M. comparuerunt

Dr. Woodward, Dr Barlowe, Dr Saye, Dr. Lluellyn,

Jovis
March 21
In Apodyterio
1661

[Adjourned to 28 March 1-2 P.M.]

Comparuerunt

Mart 28
die Jovis
in Apodyterio

Dr Say, Dr Lamplugh, Mr John Houghton

[Adjourned to 4 April 1-2 P.M.]

Apr 1661

Acta &c in Apodyterio die Jovis 4 April A.D. 1661 2-3 P.M.

Commissioners present Paul Hood, Thoma Clayton, Johs Houghton

Quibus &c Comparuit Henricus Wyatt Med doct. et allegavit that hee beeing fellowe of Pembroch Coll was in his absence without any lawful cause or ground objected against removed and evicted out of his said fellowship by Henry Whitwick B. of Div Master of the said Coll Whereuppon the Commissioners at the petition of the said Dr Wyatt ordered the said Mr. Whitwick be cited to shewe cause why hee thus removed the said doct^r Wyatt out of his said fellowship, upon Tuesday next betweene 8 and 9 (adjourned)

Acta &c in Apodyterio die Martis 9 April 1661 8-10 A.M

[p 35]

Commissioners present Paul Hood, Michael Woodward, Thoma Lamplugh, Tho Clayton presente me Greg Ballard

Ordered that a certificate bee drawne on behalfe of Mr. Budd Bacch of Ll & fellowe of New Coll that hee was not removed for any crime or scandall But that hee was unduely admitted fellowe upon an illegall title.

Upon reading Pembroch Coll Statute concerninge the tyme for fellowes to bee invested into holy orders forasmuch as Mr. Henry Whitwick the Master of the said Coll did of his owne power, without the consent of the fellowes of the said Coll or any application to the Visitors then beeing pronounce Dr Henry Wyatt fellowe, non socius, and did consequently expell him from his said fellowship.

This Board upon due debate and consideration of the matter did revoke

null and vacuate the said Act of Mr. Henry Whitwick as to the Amotion of the said Dr Henry Wyatt and did decree him to bee restored, and did then restore him to his said fellowship and all rights and perquisites thereto belonging with the arrears from the tyme hee was pronounced, Non Socius to this present, and did give farther tyme to the said Dr. Henry Wyatt to enter into holy orders for satisfaction of the Coll Statutes, till Michaelmas next

Em^t Warrant

[p. 36] Acta in Apodyterio die Jovis 18 April 1661 2-3 P.M.
Commissioners present Dr. Paul Hood, Michael Woodward, Rob^t Saye presente me Greg Ballard

[Adjourned to 2 May 1-2 P.M.]

Acta &c in Apodyterio die Jovis 2 May 1661 1-3 P.M.

Commissioners present Paul Hood, Tho Barlowe, Thom Lamplugh, John Houghton presente me Greg Ballard

[Adjourned to afternoon.]

Sed postea ex maturiore deliberatione eo quod de veresimili plurimi eorum Circa Convocationis Celebrationem apud Ecclesiam divi Pauli London absentes futuri sint

[Adjourned to 30 May 1-2 P.M.]

[p. 37] Acta &c in Apodyterio die Jovis 30 May 2-3 P.M.

Commissioners pre[se]nt Paul Hood, Michael Woodward, Robt Say Tho Barlowe, John Houghton. presente me Greg Ballard

Petitione Tho Ward LL Bacch et Rob^t Jennings Art Mag^r perlecta domini decreverunt deliberandum donec Richus Baylie rediret ad hanc Universitatem ita ut cum Eo consulore possint.

Lecta petitione Mr. Edw Master decreverunt concedendum prout petitur [Adjourned to 13th June]

Acta in Apodyterio &c die Jovis 13 June A.D. 1661 2-3 P.M.

Commissioners present Paul Hood, Mich. Woodward, Thoma Barlowe, Rob^t Say presente me Greg Ballard Not^{ro} publ Regro

Ordered by the board that the persons whoe have beene unduely admitted into there fellowships or other places of trust or proffitt in there respective Colledges or Halls, and have escaped the censure of the board upon request shalbee confirmed in there respective places, provided they bee first approved by the board.

Em^t confirmatio Mr. Edw Mastor Coll Novi

Em^t ordo p^r doctor Woodward concernant electionem Winchester

[Adjourned to 20 June 1 P.M.]

[p. 38] Acta in Apodyterio die Jovis 20 June 1661 2-3 P.M.

Commissioners present Michael Woodward, Rob^t Saye, John Houghton, Mr. Johes Burscough Coll [blank] nasi socius

Confirmat et confirmatio subscripta

John Hall Art Mag^r } Coll Pembr. decreverunt

Tho Risley Art Mag^r } Eos confirmandos

Johes Smart Coll Trinit decreverunt eum confirmandum

[Adjourned to 27 June 1-2 P.M.]

Junii 27 1661

Acta in Apodyterio die Jovis 27 June 1661 2-3 P.M.

Commissioners present Paul Hood, Michael Woodward, Thom Lamplugh
Rob^t Saye presente me Greg Ballard

Domini decreverunt Mr. Philpp Potter Art Mag^r Coll Pemb. confirman-
dum

Domini decreverunt Stephan Croft (?) Coll C Novi LL Bacch confirman-
dum

[Adjourned to 4 July 1 P.M.]

[p 39]

Acta &c in Apodyterio die Jovis 4 Julii A.D. 1661 1-2 P.M.

Commissioners present Paul Hood, Michael Woodward, Thoma Barlowe
presente me Greg Ballard

Domini confirmarunt per [blank] instrument subscriptum

Mr Johes Hall Coll Pemb Art Mag^r

Mr Thom Risley Coll Pemb Art Mag^r

Mr Philpp Potter Coll Pemb Art Mag^r

Mr. Stephen Cooke C Novi LL Bacch

[Adjourned to 11 July 1-2 P.M.]

July 11 1661

In Apodyterio die Jovis 11 Julii 1661 1-3 P.M.

Commissioners present Paul Hood, Thom Clayton, Thom Barlowe
presente Thoma Boucher Notarie publico

[Adjourned to July 18 1-2 P.M.]

Acta &c in Apodyterio die Jovis 18 Julii 1661 1-3 P.M.

Jul 18 1661

Commissioners present Paul Hood, Michael Woodward, Thom Barlowe,
Rob^t Saye presente me Greg. Ballard Not^u publ

[Adjourned for a fortnight to 1 Aug]

Petition given in by John Crosse, Dr Wilkinson have notice to appeare
this day fortnight to object against the same if hee think fit.

Loane graunted for Dr. Woodward to attend the election at Winchester.

Acta &c in Apodyterio die Jovis 1 Augst A.D. 1661 1-2 P.M.

[p 40]

Commissioners present Paul Hood, Michael Woodward, Thom Barlowe
presente me Greg Ballard

Augst 1 1661

[Adjourned for 3 weeks to 22 August 1-2 P.M.]

Signatae prius per eos Schedulae confirmationis Mr. Daniel Danvers
et M^{ri} Thoma Pooler Mr. Caroli Sparks Coll. Trinit art Magr et socius

Acta &c in Apodyterio die Jovis 22 Augst A.D. 1661 2-3 P.M.

Commissioners present Paul Hood Michael Woodward, Rob^t Saye,
Gualter Blandford presente me Greg. Ballard

[Adjourned for a fortnight.]

Acta &c in Hospitio Pauli Hood—die Martis 2 Septemb 1661 1-2 P.M. [p. 41]
Commissioners present Dr. Hood, Rob^t Say, Gault Blandford presente
me Greg. Ballard Not Publ

Quibus &c the foresaid Commissioners taking into consideration the
severall emergent and extraordinary occasions of the University beeing
then in present agitation which did take upp the Visitors from other im-
ployment. They did then order that whereas it was intended for the

Visitors to meete at St. Maryes in theire usuall place on Thursday next they did adjourne and put off that Meeting and Session till the seventeenth of October next beeing Thursday betweene one & two after noone and ordered that notice bee given to the other commissioners to meete at the same tyme in the usuall place

Acta &c in Apodyterio die Jovis 16 Oct 1661 3-4 P.M.

Commissioners present Michael Woodward, Gualter Blandford, Tho Lamplugh John Houghton presente me Greg Ballard Not publ

Ordered that Mathewe Leach Cooke of Johns Coll bee confirmed and continued in the Cookes place there if Dr Jenkin the present Principall of the said Coll do allowe thereof

[Adjourned to 31 Octobr]

[P. 42]

Acta &c in Apodyterio 31 Octobr 1661. 2-3 P.M

Commissioners present Michael Woodward, Robt. Say, Martin Lluellyn presente me Greg Ballard Notio pub

[Adjourned for a fortnight]

Acta &c in Apodyterio 28 Novb 1661 3-4 P.M.

Commissioners present Thoma Barlowe, Martin Lluellyn, John Houghton

This board beeing moved concerning the admission of Mr Will^m Ffulke, Mr Edw. Jefferyes and Admission into the number of Stipendiary fellows of the Jesus ¹ Colledge. And the expedient concerning the said Coll beeing openly read and taken into consideration it was ordered that the Board doe resume this matter into theire debate this day fortnight

[Adjourned for a fortnight at 3 P.M.]

[P. 43]

Acta &c in Apodyterio die Jovis 12 Decbr 2-3 P.M.

Commissioners present Michael Woodward, Martin Lluellyn, John Houghton presente me Greg Ballard

[Adjourned to second Friday in next Term at 2 P.M.]

Cum intimatione that if Dr. Jenkins Principall of Johns Coll shall retorne in the interim, at the request of him and the fellowes the Visitors will meete at a tyme by them to bee appoynted.

[P. 44]

Acta &c in Apodyterio die Jovis 23 Jan A.D. 1661 2-3 P.M presente me Greg Ball

Commissioners present Thomas Clayton, Michael Woodward, Robt. Say, John Houghton

[Adjourned for a fortnight.] ²

Acta &c in Apodyterio die Jovis 6 Febr 1661 2-3 P.M.

Presente me Greg Ballard

Commissioners present Michael Woodward, Walter Blandford, Martin Lluellyn John Houghton

[Adjourned for a month.]

Martin 8
1661

[The first 3 Commissioners above met, with Greg, Ballard, and again adjourned]

[P. 45]

Acta &c in Apodyterio 10 April A.D. 1662

presente me G Ballard

¹ Written above *the said*, *said* being erased ² This entry is written twice.

Commissioners present Paul Hood, Michael Woodward, Thomas Barlowe
Robt Say, Walter Blandford, Thomas Lamplugh

[An entry re Matthew Leech Cooke of New Coll erased]

[Adjourned]

Acta &c in Apodyterio die Jovis 17 April 1662 2-3 P.M. presente me [p 46]
Greg Ballard

Commissioners present Paul Hood, Tho Barlowe, Robt. Say, Tho.
Lamplugh.

Upon petition to this board made by Mathew Lleeche Heade Cooke of
Johns Coll in Oxon it was alledged that the said Mathewe having beene
turned out of his then present lively hood by the pretended Visitors in this
University was at length about 2 yeares since admitted Head Cooke of
Jesus Coll and hath soe continued ever since in the tyme of twoe severall
Principalls with the generall approbation and good liking of the Principall
and fellowes there, as was then certified by some of the said fellowes, in the
names of the rest Whereuppon it was ordered by this board that his con-
dition should bee by the said Commissioners commended to the said Coll
and request bee by them made continue him in his place till just cause
shall appeare to the contrary.

[Adjourned for a fortnight]

Die Jovis 8 Mai 1662 in Apodyterio &c

Commissioners present Thom Clayton, Paul Hood, John Houghton

[Adjourned to next Monday.]

Acta &c in Apodyterio die Lunae 12 May A.D. 1662 1-3 P.M. presente [p 47]
Edwardo Master LL Bacch et Notar publ in Actorum Scribam assumpto

Commisioners present Thom Clayton, Tho Barlowe, Rob^t Say

Quibus die hora et loco comparuit Philippus Potter Art Mag^r et Coll.
Pembrock Socius, and gave in certaine Articles in writing against Mr. Henry
Whitwick Mr of Pembroch Coll, which the Visitors admitted in the presence
of the said Mr. Whitwick dissenting. And then upon farther consideration,
the Visitors did order and decree the said Mr. Potter to bee restored to his
said fellowship in Pembroch Coll and the proffitts and perquisites thereunto
belonging at present, and from the tyme that hee was lately unduely evicted
by the said Master, for that it did appeare that the said Mr. Whitwick
had proceeded irregularly and contrary to the said Coll. Statutes in his
evictment Therefore it was ordered by the Board and the Commissioners
did judiciously admonish and require the said Mr. Henry Whitwick then
and there present forthwith to restore the said Mr. Phillip Potter into his
said fellowship.

And monished both the parties litigent to bee personally present in this
place upon Monday the second of June next at twoe of the clock in the after-
noone, to see farther proceeding in this cause

Domini decreverunt Johem Troughton Coll Bapt Oxon citandum ad
comparendum in diem Veneris prox hora secunda P.M

Acta in Apodyterio die Veneris 16 May 1662 2-3 P.M. presente me [p. 48]
Greg Ballard.

Commissioners present Thoma Clayton, Thoma Barlowe, John Houghton Quibus comparuit Johes Newton et interrogat [2 lines erased] Mr Georgius Gisby S T B. Coll divi Johis Bapt Oxon Socius et Vicepresidens et exhibuit quamdam Sohedulam manibus reverendi viri Rich. Baylie sacrae Theol Proff et dicti Coll Vicepresidens et aliquorum Sociorum sen dict Coll subscriptam objectiones seu exceptiones quasdam contra Johēm Troughton Art Bacch pretendum socium dicti Coll in se continente Quibus perlectis statim comparuit personale dictus Johes Troughton to whome the said Visitors did object that hee beeing in his owne person uncapable according to the letter of the Coll Statutes was unduely admitted fellowe of the Coll by an illegall power ffor his personall incapacity hee answered that was passed by by his admission, and his since continuance in the said Coll. But for his admission hee confessed that hee was admitted by the pretended Visitors, that did exercise the authority of Visitors in the University about seven yeares since It beeing then farther urdged against him and pressed by the fellowes of the said Coll that hee is refractory and ill affected to the Government of the Church, that hee doth not weare a surplesse nor doth usually come into the Chappell before the latter part of prayers, and not onely this but that hee is vehemently suspected to seduce some of the younge Scholars of the Colledge, beeing asked the reason hereof hee refused to answare. The board taking into consideration his former confession that hee was unduely and illegally admitted fellowe. And hath not bene confirmed by this board or any other legall authority And by ocular inspection concluding the incapacity of his person, and other his irregularities considered did declare him to bee unduely admitted in to the said Coll and did adjudge him to bee removed, and did then remove him. And pronounced his place in the said fellowship to bee voyde of his person

p. 49]

It beeing allsoe then and there proposed that one Edw Wrigglesworth was at or about Midsummer last nominated by the Merchantaylors at London Scholar of St. Johns Coll in Oxon But when hee should have bene admitted, there was noe place voyde to receive him, yet the Coll have ever since that time permitted him to continue as it were in the nature of a Scholar of the house by communicating with the Scholars in the Chappell at table and in Colledge exercise And they the President and fellowes doe well approve of the youth. And therefore in consideration that there is nowe a Merchantaylors place voyde by death and for the said Edward to staye till Midsummer next would bee a greate prejudice and a whole yeare losse unto him. It was humbly prayed that by order of this board it might bee forthwith lawfull for the said Coll to admitt the said E. W. Scholar of the said Coll, which this board adjudged meete and ordered the same soe to bee.

[p. 50]

Acta &c in Apodyterio 12 May 1662 1-3 P.M.

Commissioners present Tho Clayton, Tho Barlowe, Robt Say Quibus &c Comparuit personale Phillippus Coll Pemb Art Magr And gave in writing certaine Articles against Mr. Henry Whitwick B.D., and

Master of the said Coll, and desired the same to bee admitted the Commissioners admitted the same, and assigned Mr. Whitwick to appeare in this place on Monday the second of June next, to see prooffe made of the said Articles and to make his defence, if hee have any, and farther the said Commissioners did judicially monish and require the said Mr Whitwick forthwith to restore the said Mr Phillipp Potter to his fellowship in the said Coll and all perquisites belonging thereto in regard it did appeare that hee had unduely evicted him out of the same contrary to the Coll Statutes

Ordered by the Commissioners the same time that John Troughton B.A. pretended fellowe of St John Bapt. Coll be cited to appeare on Friday next by 2 of the clock afternoone

Acta &c in Apodyterio die Lunae 2 Junii 2-3 P M presente me Greg [p 51] Ballard.

Commissioners present Tho Clayton, Michael Woodward, Robt Say, Gualter Blandford.

At which time and place Mr. Henry Whitwick B.D Master of Pembroch Coll in Oxon beeing judicially monished to appeare at this time and in this place to see farther proceedings in this Cause, beeing sufficiently expected and not appearing

The Board did pronounce him to bee in contumacy but did farther order that a peremptory monition with intimation bee affixed on his Lodging doore to cite him to appeare on Monday next the nynth of this instant &c at 1 P M And in the meane tyme that a decree from this board bee sent to the Vice-gerent of the said Coll or in his absence to the senior fellowe there monishing him to admitt & restore Mr. Phillipp Potter into his fellowship in the said Coll with all rights dues and perquisites to him belonging as fellowe

Acta &c in Apodyterio die Lunae 9 June 1662. 1-3 P.M. presente me Greg Ballard

Commisioners present Tho Clayton, Robt Say, Gualter Blandford John Houghton

At which time nothing beeing alledged or proved on the behalfe of Mr. Phillipp Potter fellowe of Pemb Coll the Commissioners adjourned theire session to Thursday 3 July. 1 P.M

Acta &c in Apodyterio die Jovis 3 Julii A.D. 1662 presente me Greg [p 52] Ballard

Commissioners present Paul Hood, Michael Woodward, John Houghton Comparuit Mr Master et exhibuit procuracionem pro Gualtero Baylie et Mr. John Hooke socus Coll Magd Oxon and in theire name desired a confirmation for them in theire fellowships, which they the hoble Commissioners graunted, upon provisoe that they first bring in theire respective Certificates of theire conformity

[Adjourned for 3 weeks]

Acta &c in Apodyterio die Jovis 24 Julii 1662 2-3 P.M.

Commissioners present Paul Hood, Thom Lamplugh, John Houghton Domini Visitatores tunc praesentes confirmarunt Gualterum Baylie

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socium Beatae Mariae Magd Oxon absolute per instrument manibus suis superscriptam.

Eodem die dict Visitatores confirmarunt Thomam Hooke socium dict Coll Proviso quod instrument registrar hat^s ante primum diem proximi termini inconsultis dñis [?] domini Visitor sed postea per eorum consensum emanat.

[Adjourned in primum diem Jovis proximi termini]

Acta &c in Apodyterio die Jovis 16 Octobr A D 1662 3-4 P.M.

Commissioners present Tho Barlow, Lamplugh, Lluellin

Quibus &c Domini ad petitionem Mrⁱ Gregor Ballard assumerunt sibi in Scribam Actorum, prout tunc comparuerunt Sam Walton et Sam Mew A.M^{ri} et e Coll St^{ae} Mar Magdalenae socii et exhibuerunt certificatoria subscripta manibus Edwardi Drope S.T.D. H Yerbury M.D. Abra Ffarman praedict Coll socii qua petierunt admitti et confirmari dict Coll Octobr 23 62 1-3 P.M.

Dr. Woodward, Barlow, Dr Lluellin, Dr. Lamplugh

[Confirmed the above and adjourned.]

Novemb 6 1662

Dr Blanford, Dr. Hood, Dr Woodward

[Adjourned to last day of this Term]

Wee the Commissioners for visiting the University of Oxon whose names are hereunder written by his gracious Ma^{tie} lawfully assigned having received sufficient Testimony of the honesty of life and sober conversation of Walter Pooler Mr. of Arts and fellow of Trinity Coll in Oxon As alsoe of his sufficiency in learning and conformity to the discipline of the Church of England, the Government of the University and the Statutes of the Coll wherein hee liveth, upon request to us made on his behalfe have and doe hereby these presents with an unanimous consent, allowe, ratifie, and confirme the said Walter Pooler in his said fellowship in Trinity Coll afore-said, and all rights, dues, and perquisites thereunto belonging. All or any irregularities or expressions which in a strickt interpretation of the said Coll Statutes may bee objected against his election or admission into his said fellowship notwithstanding In witness whereof wee have hereunto subscribed our names the three and twentieth day of October in the yeare of our Lord 1662

Paul Hood Linc Collegii Rector

Michael Woodward N. Coll Custos

Thomas Barlow Coll Reg Praepositus

LIST OF COMMISSIONERS

Since the names of the Commissioners appear on nearly every page, they have not been separately indexed when their presence only is recorded. The list of their names is as follows

SIR EDWARD HYDE	Lord High Chancellor, and Chancellor on the death of the Marquis of Hertford Chancellor (died 24 October 1660)
WILLIAM SEYMOUR, Marquis of Hertford	
THOMAS WRIOTHESLEY, Earl of Southampton	Lord Treasurer
BRIAN DÜPPA SALISBURY	} Bishops
JOHN WARNER ROCHESTER	
ROBERT SKINNER OXFORD	
SIR EDWARD NICHOLAS	} Secretaries of State
SIR WILLIAM MORRIS	
JOHN OLIVER	President of Magdalen
PAUL HOOD	Rector of Lincoln and Vice-Chancellor
RICHARD ZOUCH	Judge of the Admiralty Court
RICHARD CHAWORTH	Chancellor of the diocese of Chichester.
TIMOTHY BALDWIN	Principal of Hart Hall.
THOMAS CLAYTON	Warden of Merton in 1661
MARTIN LLWELLYN	Principal of St. Mary Hall.
MICHAEL WOODWARD	Warden of New College.
THOMAS BARLOW	Provost of Queens.
ROBERT SAY	Provost of Oriel
WALTER BLANDFORD	Warden of Wadham
JOHN HOUGHTON	B N C , Canon of Salisbury
THOMAS LAMPLUGH	Queens , Principal of Hart Hall in 1664.
AMOS WALROND	Secretary to the Marquis of Hertford.

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